

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA**

LARRY KLAYMAN,
7050 W. Palmetto Park Road
Boca Raton, FL 33433

Plaintiff,

v.

PRESIDENT JOSEPH R. BIDEN,
acting individually and as President of the
United States
1600 Pennsylvania Ave NW
Washington DC 20500

and

DR. JILL TRACY JACOBS BIDEN,
1600 Pennsylvania Ave NW
Washington DC 20500

and

FLORIDA DEMOCRATIC PARTY,
201 South Monroe Street
Suite 300
Tallahassee, FL 32301

and

DR. KEVIN O'CONNOR
c/o Ross Hall
2300 Eye Street NW
Washington DC 20037

Defendants.

COMPLAINT

Plaintiff, Larry Klayman ("Mr. Klayman"), hereby files this action against Defendants President Joseph R. Biden ("Defendant Biden"), Dr. Jill Tracy Jacobs Biden ("Defendant Jill Biden"), the Florida Democratic Party and Dr. Kevin O'Connor ("Defendant O'Connor")

(hereinafter collectively called Defendants) for fraud. In support thereof, Plaintiff alleges as follows:

JURISDICTION AND VENUE

1. This is an action for damages in excess of \$30,000, exclusive of interest, cost and attorneys' fees.
2. This Court has jurisdiction over Defendants, each and every one of them, jointly and severally, as they have engaged in more than sufficient, substantial, and minimum contacts within this county and the state of Florida by committing unlawful acts intended and designed to commit fraud in the third largest state in the United States and one that has historically decided many presidential elections. Defendants, acting jointly and in concert, have purposefully availed themselves of the benefits and protections of Florida law, such that Defendants should reasonably anticipate being hailed into court here, and the exercise of jurisdiction over Defendants comports with due process.
3. Pursuant to Florida Statute § 47.011, venue for this action is properly in Leon, Florida, as: (i) Mr. Klayman is a Florida citizen and has been and remains a registered voter in national elections, such as prior the presidential election in 2020 and now the 2024 presidential election in Florida; (ii) Defendants do continuous and systematic business and have engaged in minimum contacts in this county and Florida; and (iii) a substantial part of the events that give rise to Plaintiff's claims occurred in this county and in the state of Florida.

PARTIES

4. At all material times, Plaintiff Klayman is an individual and citizen of Florida and registered voter, as well as a former candidate for the U.S. Senate in the state of Florida in 2003 - 2004. Plaintiff is a well-known private lawyer and conservative public interest advocate and

litigator, a columnist, author and syndicated national radio talk show host on Radio America, and a commentator on his weekly show titled “Special Prosecutor with Larry Klayman.” Plaintiff conceived of and founded both Judicial Watch, Inc. and Freedom Watch, Inc. He is a former federal prosecutor of the Antitrust Division of the U.S. Department of Justice, where he was on the trial team that broke up the AT&T monopoly. Plaintiff is a registered voter in Florida and thus an elector in the State of Florida.

5. Defendant Joseph Biden was at all material times President of the United States and the Democratic Party’s presumed nominee for the 2024 presidential election.

6. Defendant Jill Biden was at all material times First Lady of the United States and Defendant Joe Biden’s lawful wife.

7. Defendant Florida Democratic Party is an integral part and organ of the Democratic Party in the state of Florida, headquartered in Tallahassee.

8. Defendant O’Connor is the personal White House physician to Defendant Biden.

STANDING

9. Plaintiff has standing to bring this action because he has been directly affected and victimized by the unlawful conduct complained herein. His injuries are proximately related to the conduct of Defendants. Plaintiff votes in Florida for presidential elections.

FACTS

10. In the time leading up to the 2020 presidential election, culminating on November 3, 2020, Defendant O’Connor, acting jointly and in concert with Defendants Biden, Jill Biden, and the Defendant Florida Democratic Party, fraudulently and intentionally hid the severe debilitating mental and physical illnesses and decline of Defendant Biden.

11. Defendant O'Connor, acting jointly and in concert with Defendants Biden, Jill Biden, and the Defendant Florida Democratic Party, fraudulently and intentionally covered up the true mental and physical conditions of Defendant Biden that made him unfit for the presidency and posed a potentially fatal security risk to the nation.

12. Defendants Biden, Jill Biden, the Defendant Florida Democratic Party, and Defendant O'Connor colluded and conspired together to conceal Defendant Biden's debilitating condition and continuing mental and physical decline intentionally and condition, fraudulently and intentionally.

13. This fraudulent and intentional cover up by Defendants, each and every one of them, continues into the 2024 presidential election and has occurred as recently as February 28, 2024, when Defendant O'Connor conducted a physical exam intentionally without a cognitive test and falsely reported that Defendant Biden was fit for office. *See infra*.

14. On or around January 25, 2021, Defendant Biden, acting in concert with Defendants Jill Biden, the Defendant Florida Democratic Party, and Defendant O'Connor, commissioned Defendant O'Connor as his new personal White House physician.¹

15. Defendant O'Connor has served as Defendant Biden's primary care physician since 2009, when he was appointed physician to then Vice President Biden and was chosen by Defendant Biden not for his qualifications, but instead his loyalty for the new role due to their "long history, and personal relationship," according to a White House official.²

16. Defendant O'Connor conducted and released the only physical and medical reports for Defendant Biden during his campaign in December 2019 leading up to the 2020

¹ Nagle, Molly, "Biden to Replace White House Doctor With Long-Time Physician", ABC News, January 25, 2021, <https://abcnews.go.com/Politics/biden-replace-white-house-doctor-long-time-physician/story?id=75456901>.

² *Id.*

presidential election: a three-page summary that merely falsely declared Defendant Biden “a healthy, vigorous, 77-year-old male, who is fit to successfully execute the duties of the presidency.”³

17. However, at the time of the report, it has now come to light Defendant Biden was under treatment for four different medical conditions, including non-valvular atrial fibrillation (A-Fib) – a type of irregular heart rhythm, hyperlipidemia – higher concentrations of fats or lipids in the blood, gastroesophageal reflux and seasonal allergies.

18. On or around February 16, 2023, Defendant O’Connor performed a physical exam for Defendant Biden. Defendant O’Connor falsely, deceptively and incredulously concluded that Defendant Biden “remains a healthy, vigorous, 80-year-old male, who is fit to successfully execute the [duties] of the Presidency, to include those as Chief Executive, Head of State and Commander in Chief.”⁴

19. The physical included skin cancer surveillance, with one small lesion being removed from Defendant Biden’s chest and set for biopsy. It also allegedly included an “extremely detailed” and “reassuring” neurological exam that found no “cerebellar or central neurological disorder.”⁵

20. However, at the time of the physical exam, Defendant O’Connor did not perform a cognitive exam and intentionally excluded to mention in his report whether Defendant Biden is

³ *Id.*

⁴ Slisco, Aila, “Trump’s White House Doctor Alleges Biden’s Physical Was a ‘Cover-Up’”, Newsweek, February 17, 2023, <https://www.newsweek.com/trumps-white-house-doctor-alleges-bidens-physical-was-cover-1781888>.

⁵ *Id.*

on any medications to treat his obvious serious and debilitating mental and physical condition and decline.⁶

21. The Guardian recently reported that Defendant O'Connor met with a leading Washington Neurologist at the White House.⁷

22. Dr. Kevin Cannard, a Parkinson's disease expert at Walter Reed Medical Center, met with [Defendant] O'Connor and "[t]he visit took place at the White House residence clinic on 17 January. Cannard has visited the White House **eight times since August 2023**."⁸

23. Defendant Biden, acting jointly and in concert with Defendants Jill Biden, the Defendant Florida Democratic Party and Defendant O'Connor, has consistently rejected taking any cognitive test, including in August 2020 when he dismissed a reporter's question with: "'Why the hell would I take a test?' He has continued to dismiss the need for one and, according to aides, has not received one during his three annual physical exams during his term in the White House."⁹

24. "The Washington Post . . . reported a White House aide saying that [Defendant] O'Connor, who has been [Defendant] Biden's doctor since 2009, has never recommended that [Defendant] Biden take a cognitive test."¹⁰

25. Instead of verifying that Defendant Biden is fit to run the office of the presidency, "[Defendant] O'Connor has said that his most important job is to offer [Defendant] Biden a

⁶ *Id.*

⁷ Helmore, Edward, "Biden's Doctor Reportedly Met With Top Neurologist at White House", The Guardian, July 6, 2024, <https://www.theguardian.com/us-news/article/2024/jul/06/joe-biden-neurologist-doctor-meeting>.

⁸ *Id.* (emphasis added).

⁹ *Id.*

¹⁰ *Id.*

[gratuitous and medically worthless] affirmative ‘Good morning, Mr. President’ – to get Biden off the on [sic] right track each day.”¹¹

26. The neurologist Defendant O’Connor met with at the White House multiple times has served as the “neurology specialist supporting the White House medical unit’ since 2012 and has published academic papers including one last year in the Parkinsonism & Related Disorders journal that focused on the ‘early stage’ of the brain degenerative disorder.”¹²

27. Dr. Ronny Jackson (“Congressman Jackson”), now a Republican congressman in Texas who was the personal White House physician for former presidents Barack Obama and Donald Trump, had previously called for Defendant Biden to undergo a cognitive exam and understandably accused Defendant O’Connor and Biden’s family of trying to “cover up” problems with Defendant Biden’s mental and physics inabilities.¹³

28. Defendant O’Connor, acting jointly and in concert with Defendants Biden, Jill Biden and the Defendant Florida Democratic Party, has “covered up” Defendant Biden’s incapacities and unfitness to carry out the duties of the President of the United States.

29. Congressman Jackson continued, “[Defendant] Kevin O’Connor is like a son to Jill Biden – she loves him . . . they [Defendants Biden and Jill Biden] knew they could trust Kevin [Defendant O’Connor] to say and do anything that needed to be said or done.”¹⁴

30. On or around February 28, 2024, *months* after meeting the neurologist who specializes in brain degenerative disorders, Defendant O’Connor released his report following Defendant Biden’s routine physical and falsely said: “[Defendant Biden] continues to be fit for

¹¹ *Id.*

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

duty and fully executes all of his responsibilities without any exemptions or accommodations . . .”¹⁵

31. Defendant Biden received the physical at a military hospital in suburban Maryland.

32. At the time of his report on or around February 28, 2024, Defendant O’Connor, acting jointly and in concert with Defendants Biden, Jill Biden and the Defendant Florida Democratic Party, knew that Defendant Biden did suffer and continues to suffer from a serious cognitive disorder and is unfit to serve as Commander in Chief as evidenced by his meetings with the neurological specialist who wrote papers on early stage brain degenerative disorder back in 2023, *months* before Defendant O’Connor claimed Defendant Biden “continues to be fit for duty and fully executes all of his responsibilities without any exemptions or accommodations . . .” in February of 2024.¹⁶

33. After the disastrous, totally confused, and incomprehensible presidential debate performance by Defendant Biden against former President Trump on June 27, 2024 where Defendant Biden was appeared incapacitated, James Comer (“Comer”), the Chairman of the House Oversight Committee (the “Committee”), wrote a letter to Defendant O’Connor just days ago, on July 7, 2024, seeking to understand the extent of his involvement in the Biden family’s financial activity, particularly his involvement with Defendant Biden’s brother, James, with Americore Health, LLC (“Americore”).¹⁷

¹⁵ Alvord, Kyler, “Joe Biden’s Doctor Releases Results of Annual Physical Exam”, People, February 28, 2024, <https://people.com/joe-biden-physical-exam-results-2024-doctor-visit-8601513>.

¹⁶ *Id.*

¹⁷ Singman, Brooke, “Comer Reveals White House Physician Was Involved in Biden Family Business Deals, Demands He Testify”, Fox News, July 7, 2024,

34. Given Defendant Biden's seriously degenerative cognitive state and inability to answer the most basic questions coherently, any reasonable person, whatever his or her politics, at a minimum would recommend a cognitive exam for Defendant Biden.

35. Yet, Comer revealed that Defendant O'Connor, Defendant Biden's personal White House physician, has in fact, *never* recommended that Defendant Biden take a cognitive test.¹⁸

36. Defendant O'Connor has close ties to James Biden, Defendant Biden's brother.

37. James Biden, Defendant Biden's brother, used funds from Americore to pay Defendant Biden \$200,000 as the company was facing financial distress.¹⁹

38. While serving as a principal at Americore, James Biden received payments for \$400,000 and \$200,000, characterized by loans, from the company that were wired directly to his bank account.²⁰

39. James Biden "procured the \$600,000 in loans from Americore . . . based upon representations that his last name, 'Biden', could 'open doors' and that he could obtain a large investment from the Middle East based on his political connections."²¹

40. On March 1, 2018, the same day James Biden received the \$200,000 wire transfer from Americore into his bank account, James Biden wrote a check to his brother, Defendant Biden, for \$200,000 for a "loan repayment."²²

<https://www.foxnews.com/politics/comer-reveals-white-house-physician-involved-biden-family-business-deals-demands-he-testify>.

¹⁸ Diamond, Dan and Kranish, Michael, "Is Biden Fit for Duty? The Answer Depends on Little-Known White House Doctor", Washington Post, July 6, 2024,

<https://www.washingtonpost.com/politics/2024/07/06/kevin-oconnor-biden-doctor-cognitive-tests-debate/>.

¹⁹ Press Release, Comer Releases Evidence of Direct Payment to Joe Biden, H. Comm. on Oversight & Accountability (Oct. 20, 2023).

²⁰ *In re Americore Holdings, LLC, et al., Carol Fox, Chapter 11 Trustee v. James Biden*, No. 19-61608 at ¶ 11-12 (Bankr. E.D. Ky. July 7, 2022).

²¹ Transcribed Interview of Carol Fox, H. Comm. on Oversight & Accountability & H. Comm. on the Judiciary at 64 (Dec. 18, 2023).

41. In February of 2024, an interview with James Biden confirmed that Defendant O'Connor provided counsel in connection with the alleged work he was performing with Americore.²³

42. James Biden stated:

Q. – What services did you render to Americore if you weren't getting a salary?

A. – I met with, for example – my brother wasn't in office at the time. He was a private citizen. And I had gotten through his – as Vice President, his personal physician was [Defendant] Colonel Kevin O'Connor.

And [Defendant] Kevin O'Connor – there was a very – and still there is an outcry for a solution for post-traumatic stress disorder. And one component in terms of filling these hospitals, I thought that if we followed the same protocols that the VA does with post-traumatic stress disorder and alcoholism – that there was a backlog at the VA. So he introduced me to a team.

Atty. "He," Kevin?

A. "He," Kevin O'Connor.

And I remember we had – our first lunch was in Alexandria, Virginia.²⁴

43. Public record also confirms that Defendant O'Connor, acting jointly and in concert with Defendants Biden, Jill Biden, and the Defendant Florida Democratic Party, "joined a meeting with Jim Biden and the president of a hospital being acquired by Americore[.]"²⁵

44. According to The Washington Post, three of Defendant O'Connor's "former colleagues in the White House medical unit . . . said [Defendant] Biden's debate performance

²² See Press Release, *supra*, Fn. 19.

²³ Transcribed Interview of James Biden, H. Comm. on Oversight & Accountability & H. Comm. on the Judiciary at 38-39 (Feb. 21, 2024) (emphasis added).

²⁴ *Id.*

²⁵ Schreckinger, Ben, "Biden's Brother Used His Name to Promote a Hospital Chain. Then It Collapsed", Politico, February 18, 2024, <https://www.politico.com/news/2024/02/18/the-biden-name-how-the-presidents-brother-became-embroiled-in-a-hospital-fiasco-00141868>.

suggested to them that the president should undergo cognitive screening.” Again, Comer revealed that Defendant O’Connor has in fact, never recommended that Defendant Biden take a cognitive test.²⁶

45. After the disastrous and revealing debate performance, calls grew stronger from medical professionals that Defendant Biden should undergo a cognitive test but were overridden by Defendant O’Connor’s “continued insistence that [Defendant] Biden does not need testing[.]”²⁷

46. Due to his cognitive decline, Defendant Biden, acting jointly and in concert with Defendants Jill Biden, the Defendant Florida Democratic Party and Defendant O’Connor, is unwilling and unable to provide any insight. In a recent interview with ABC News, Defendant Biden responded to a question about taking a cognitive test by saying “I have a cognitive test every single day,” but pressed further, he said “I’ve already done it.”²⁸

47. After inquiries concerning the cognitive health of Defendant Biden, Defendant O’Connor has repeatedly refused interview requests from the media to shield Defendant Biden from public scrutiny and to defraud Plaintiff, other Florida registered voters, and the citizens of the United States into believing that Defendant Biden is fit for office.²⁹

²⁶ Diamond, Dan and Kranish, Michael, “Is Biden Fit for Duty? The Answer Depends on Little-Known White House Doctor”, Washington Post, July 6, 2024, <https://www.washingtonpost.com/politics/2024/07/06/kevin-oconnor-biden-doctor-cognitive-tests-debate/>.

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.*

48. On July 3, 2024, White House Press Secretary Karine Jean-Pierre confirmed that she spoke with Defendant O'Connor and that Defendant Biden has not been evaluated since February 2024.³⁰

49. Yet, on a phone call with Democratic governors the same day, Defendant Biden "told the assembled governors that he was **checked out by a doctor** and that everything was fine."³¹

50. Defendants, acting jointly and in concert, are perpetrating a fraud against Plaintiff, other Florida registered voters, and the American people, by intentionally and fraudulently lying about the serious and debilitating decline and mental and physical capacity of Defendant Biden.

APPLICABLE LAW

51. Under Section 97.021(14), Florida Statutes (2011), "elector" is defined as "synonymous with the word 'voter' or qualified elector or voter."

52. Plaintiff is a registered voter and thus elector in the state of Florida, having met the qualifications of Section 97.041(1)(a), Florida Statutes (2011).

53. The unlawful acts and practices, which include but are not limited to the failure to adhere to Florida election law, fraud, misconduct, and corruption as set forth herein dilute, subvert, nullify and thus disenfranchise Plaintiff's vote in the 2020 presidential election and in the 2024 presidential election and thus harms his rights as a Florida citizen and elector.

54. Pursuant to Florida Statute 102.168.(3), this complaint is grounded on:

³⁰ Briefing Room, Press Briefing by Press Secretary Karine Jean-Pierre, The White House (July 3, 2024).

³¹ Alba, Monica and Timm, Jane C., "Biden Says He Saw a Doctor After the Debate and Acknowledges: 'I Screwed Up'", NBC News, July 4, 2024, <https://www.nbcnews.com/politics/joe-biden/biden-tells-democrats-saw-doctor-debate-rcna160320> (emphasis added).

(a) Misconduct, fraud, or corruption on the part of any election official or any member of the canvassing board sufficient to change or place in doubt the result of the election.

(d) Proof that any elector, election official, or canvassing board member was given or offered a bribe or reward in money, property, or any other thing of value for the purpose of procuring the successful candidate's nomination or election or determining the result of any question submitted by referendum.

55. Within the meaning of Florida Statute 102.168, "elector" means any voter.

56. Pursuant to Florida Statute 102.168(1), a complaint can be filed by any elector qualified to vote in the election related to such candidacy, or by any taxpayer, respectively.

57. Under Florida Statute 102.168(1), "the certification of election or nomination of any person to office . . . may be contested in the circuit court . . . by any elector qualified to vote in the election related to such candidacy, or by any taxpayer, respectively."

CAUSES OF ACTION

COUNT I

Fraud

Against Defendant Joseph Biden

58. Plaintiff repeats and re-alleges each and every allegation in each of the foregoing paragraphs 1-57 as if fully set forth herein.

59. Defendant Biden, acting in concert with his wife, Defendant Jill Biden, the Defendant Florida Democratic Party, and Defendant O'Connor, made repeated fraudulent statements of material fact that he is fit for office as set forth above and herein.

60. Defendant Biden knows of his serious mental and physical condition and decline yet, acting jointly and in concert with Defendants Jill Biden, the Defendant Florida Democratic Party, and Defendant O'Connor, continues to campaign for the 2024 presidential election, despite Democrats and Republicans encouraging him to step down because of his mental incapacity.

61. At the direction of Defendant Biden, acting jointly and in concert with Jill Biden, Defendant O'Connor intentionally never asked for and/or administered a cognitive exam to Defendant Biden.

62. Defendant Biden, acting jointly and in concert with Defendant Jill Biden, the Defendant Florida Democratic Party and Defendant O'Connor, made several omissions of material facts when he fraudulently concealed the true state of his mental and physical abilities as guaranteed to Plaintiff and the American people.

63. Defendant Biden was aware of the false nature of the statements as evidenced only in part by his prior meetings with Dr. Kevin Cannard, the Parkinson's disease expert at Walter Reed Medical Center and the person who has published academic papers including one last year in the Parkinsonism & Related Disorders journal that focused on the 'early stage' of the brain degenerative disorder.

64. Defendant Biden, acting jointly and in concert with Defendants Jill Biden, the Defendant Florida Democratic Party, and Defendant O'Connor, made these false statements and false omissions with the intent to defraud Plaintiff and other Florida voters such that Plaintiff and other Florida voters would rely on them, as the purpose of these false statements and omissions was to create a false impression that Defendant Biden is fit for office and by doing so, diluted and dilutes and disenfranchises Plaintiff's vote on the basis of fraud in the 2020 and 2024 presidential elections..

65. Plaintiff, a registered Florida voter and other Florida registered voters and the American people relied on Defendant Biden's fraudulent statements and false omissions in 2020 up to the present presidential election in 2024.

66. By defrauding Plaintiff, Defendant Biden, acting in concert with Defendants Jill Biden, the Defendant Florida Democratic Party, and Defendant O'Connor, Plaintiff has suffered in his personhood and rights as a registered Florida voter.

67. As a result of the fraudulent and false statements and omissions by Defendant Biden, Plaintiff's vote had been and will be disenfranchised and as a direct and proximate cause, and Plaintiff suffered damages in an amount to be proven at trial.

COUNT II
Fraud
Against Defendant Jill Biden

68. Plaintiff repeats and re-alleges each and every allegation in each of the foregoing paragraphs 1-57 as if fully set forth herein.

69. Defendant Jill Biden, acting in concert with her husband, Defendant Biden, the Defendant Florida Democratic Party, and Defendant O'Connor, made repeated, fraudulent statements of material fact that her husband, Defendant Biden, is fit for office.

70. Defendant Jill Biden knows intimately the state of Defendant Biden's serious and debilitating decline and yet, dishonestly acting jointly and in concert with Defendants Biden, the Defendant Florida Democratic Party, and Defendant O'Connor, continues to campaign for Defendant Biden and assures and fraudulently misrepresents to Plaintiff, other Florida registered voters and the American people that Defendant Biden is fit to be president.

71. At the direction of Defendants Biden and Jill Biden, Defendant O'Connor purposefully and intentionally never administered a cognitive exam to Defendant Biden.

72. Defendant Jill Biden, acting jointly and in concert with Defendant Biden, the Defendant Florida Democratic Party, and Defendant O'Connor, made several omissions of

material fact when she fraudulently concealed the true state of Defendant Biden's mental and physical abilities as guaranteed to Plaintiff, Floridians and the American people.

73. Defendant Jill Biden was aware of the false nature of the statements as she intimately co-habits with her husband and also evidenced by her knowledge that Defendant Biden and Defendant O'Connor had at least *eight* meetings with Dr. Kevin Cannard, the Parkinson's disease expert at Walter Reed Medical Center and the person who has published academic papers including one last year in the Parkinsonism & Related Disorders journal that focused on the 'early stage' of the brain degenerative disorder.

74. Defendant Jill Biden, acting jointly and in concert with Defendants Biden, the Defendant Florida Democratic Party, and Defendant O'Connor, made these false statements and false omissions with the intent to defraud Plaintiff, such that Plaintiff would rely on them, as the purpose of these false statements and omissions was to create a false impression that Defendant Biden is fit for office and by doing so, has diluted and will dilute and disenfranchise Plaintiff's vote and other Florida voters on the basis of fraud in 2020 and now 2024.

75. Plaintiff and the American people relied on Defendant Jill Biden's fraudulent statements and omissions.

76. By defrauding Plaintiff, Defendant Jill Biden, acting jointly and in concert with Defendants Biden, the Defendant Florida Democratic Party, and Defendant O'Connor, Plaintiff has suffered in his personhood and rights as a registered Florida voter.

77. As a result of the fraudulent and false statements and omissions by Defendant Jill Biden, Plaintiff's vote has been and will be disenfranchised as a direct and proximate cause, Plaintiff suffered damages in an amount to be proven at trial.

COUNT III
Fraud

Against Defendant the Florida Democratic Party

78. Plaintiff repeats and re-alleges each and every allegation in each of the foregoing paragraphs 1-57 as if fully set forth herein.

79. Defendant Florida Democratic Party, acting jointly and in concert with Defendants Biden, Jill Biden, and O'Connor, made repeated, fraudulent statements of material fact when it perpetuated the false notion to Plaintiff and other Florida voters that Defendant Biden is fit for office and that they should vote for him.

80. Defendant Florida Democratic Party knew or had reason to know that Defendant Biden had not been given a cognitive exam.

81. Defendant Florida Democratic Party, acting jointly and in concert with Defendants Biden, Jill Biden, and O'Connor, made several omissions of material facts when it fraudulently concealed the true state of Defendant Biden's debilitating mental and physical infirmities to its voters, as guaranteed to Plaintiff and the American people.

82. Defendant Florida Democratic Party was thus aware of the false nature of the statements as evidenced by Defendant Biden's obvious mental and physical decline during television interviews, radio interviews, public events, campaigning, and public speaking, among a myriad of other indicia

83. Defendant Florida Democratic Party, acting jointly and in concert with Defendants Biden, Jill Biden, and Defendant O'Connor, made these false statements and false omissions with the intent to defraud Plaintiff and other Florida registered voters, and that Plaintiff would rely on them, as the purpose of these false statements and omissions was to create a false impression that Defendant Biden is fit for office and by doing so, has diluted and will

dilute and disenfranchise Plaintiff's vote and other Florida votes on the basis of fraud in 2020 and 2024.

84. Plaintiff, other Florida voters and the American people relied on the Defendant Florida Democratic Party's fraudulent statements and false omissions.

85. By defrauding Plaintiff, Defendant Florida Democratic Party, acting jointly and in concert with Defendants Biden, Jill Biden and the Defendant Florida Democratic Party, Plaintiff has suffered in his personhood and rights as a registered Florida voter.

86. As a result of the fraudulent and false statements and omissions by the Defendant Florida Democratic Party, Plaintiff's vote has been in 2020 and will again in 2024 be disenfranchised and as a direct and proximate cause, Plaintiff suffered damages in an amount to be proven at trial.

COUNT IV
Fraud
Against Defendant Kevin O'Connor

87. Plaintiff repeats and re-alleges each and every allegation in each of the foregoing paragraphs 1-57 as if fully set forth herein.

88. Defendant O'Connor, acting jointly and in concert with Defendants Biden, Jill Biden, and the Defendant Florida Democratic Party, made repeated, fraudulent statements of material fact when he falsified reports that Defendant Biden is fit to be president.

89. Indeed, Defendant O'Connor purposefully and intentionally never gave Defendant Biden a cognitive exam.

90. Defendant O'Connor, acting jointly and in concert with Defendant Biden, Jill Biden, and the Defendant Florida Democratic Party, made several omissions of material fact when he fraudulently concealed the true state of Defendant Biden's serious debilitating mental

and physical decline in abilities as guaranteed to Plaintiff, other Florida registered voters and the American people.

91. Defendant O'Connor was aware of the false nature of the statements as evidenced by his prior meetings with Dr. Kevin Cannard, the Parkinson's disease expert at Walter Reed Medical Center and the person who has published academic papers including one last year in the Parkinsonism & Related Disorders journal that focused on the 'early stage' of the brain degenerative disorder.

92. Defendant O'Connor, acting jointly and in concert with Defendants Biden, Jill Biden, and the Defendant Florida Democratic Party, made these false statements and false omissions with the intent to defraud Plaintiff and other Florida voters and that Plaintiff and other Florida voters would rely on them, as the purpose of these false statements and omissions was to create a false impression that Defendant Biden is fit for office and by doing so, diluted and will dilute and disenfranchise Plaintiff's vote on the basis of fraud in 2020 and 2024.

93. Plaintiff, other Florida voters and the American people relied on Defendant O'Connor's fraudulent statements and false omissions.

94. By defrauding Plaintiff, Defendant O'Connor, acting jointly and in concert with Defendants Biden, Jill Biden and the Defendant Florida Democratic Party, Plaintiff has suffered in his personhood and rights as a registered Florida voter.

95. As a result of the fraudulent and false statements and omissions by Defendant O'Connor, Plaintiff's vote had been in 2020 and now in 2024 will be disenfranchised and as a direct and proximate cause, Plaintiff suffered damages in an amount to be proven at trial.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendants, acting jointly and severally, as follows:

- a. Compensatory and actual damages to be determined at trial;
- b. Awarding Plaintiff's attorneys' fees and costs;
- c. Granting any such further relief as the Court deems appropriate including preliminary and permanent injunctive relief in the form of Defendant Biden's name being removed by the Florida Secretary of State as a candidate in the 2024 Presidential election as well as preliminary and permanent injunction enjoining Defendant Biden from running for president in 2024 and leave to later amend once more facts are uncovered during discovery.
- d. Plaintiff will move for punitive damages pursuant to Florida Statute 768.02 at the appropriate time.

Dated: July 10, 2024

Respectfully submitted,

/s/ Larry Klayman
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