

[REDACTED]

August 6, 2012

Len Swadlow, Esquire, Assistant State Attorney

County Court Division, Suite 720

Broward County Courthouse

201 SE Sixth Street

Fort Lauderdale, FL 33301-3360

RE: ROBERTA SEYMOUR vs KEVIN J. MILCHECK

Dear Sir:

I am writing this in hopes of getting help with the situation I have been unjustly accused of. Hopefully this will provide you with sufficient information that encourages a complete investigation and formal charging of Roberta Seymour for her personal, unsupported and unlawful allegations that I have stalked, harassed, intimidated, threatened, bullied, stolen her email identity and that I have also cyber stalked her husband. She has claimed I have done these unthinkable actions by phone, through the internet, and in person.

My nightmare all started a little over two years ago, but it wasn't until July 19, 2011 when she filed a report with the Mount Dora police stating she had been harassed by me for over a year because she had turned me down for a date that I never asked for. She further alleged that I made rude and vulgar comments to her while she was working out, and that I threw weights at her feet while she was working out. I have always worked out with the same group of people, therefore, I have many witnesses. She has no witnesses to support her untrue allegations. She stated she had reported these incidents to past and current management and they have done nothing. She also stated that Milcheck does not work out while he is in the gym and is disruptive. I believe you would agree the behavior she attributes to me is bazaar and abnormal and as such would have been noticed by others, including the staff. The investigating policeman spoke with the manager, Christine Swain who stated she was at the gym when Mrs. Seymour accused me of slapping papers in her face. Ms. Swain stated she did not observe me waive papers in her face nor has she seen the behavior Mrs. Seymour is reporting about me. In fact, on the particular day that I had the papers, I purposely avoided Mrs. Seymour when I walked out with Debbie Chadwick. Ms. Swain further stated she has received verbal complaints that Mrs. Seymour has been rude to other members of the gym, however, and formal complaints have been filed. This is the start of Mrs. Seymour's unsubstantiated lies. The investigating policeman suggested she change her exercise schedule and she stated she preferred going to the gym in the afternoon with her husband (Jeffrey). He only appeared as she was trying to develop her issue with me. This was the first time I met him. I never noticed him at the gym before. This can be confirmed with Golds as they have a computer scan for identity. The police officer spoke with me and I told him I felt I was the one being harassed, that I had never confronted her and that I didn't know why she had singled me out to harass. In fact, I made every effort to avoid her while at the gym. A reasonable person would conclude that it would be very dumb of me to do any of the things I am being accused of when there are security cameras and numerous witnesses in the gym.

On July 26 she filed for a temporary injunction for protection from me in Lake County. A hearing was set for August 9, 2011.

On July 27, 2011 Mrs. Seymour's membership was cancelled by Gold's Gym. I mention this as I believe future events as

unfold will point to her motive behind these continuing actions directed toward me. Her motive is for the sole purpose of a conviction against me to support her future pursuit of Gold's Gym for financial gain. My conviction would allow her to claim further that Gold's Gym was liable because they took no action against me, but cancelled her membership, fueling her fire. [REDACTED]

[REDACTED] So what drives her? A reasonable person can only conclude that she continues to spend money on attorneys in hopes of obtaining a substantial judgment in the future against the institution involved with the deep pockets.

Now let me continue with my timeline.

On August 3, 2011, the State Attorney located in Lake County denied to file charges on Mrs. Seymour's allegations based on the following grounds: "Insufficient evidence to prove charge".

On August 9, 2011, her original allegations were heard in Lake County Circuit Court (Case #2011-DR-1491). Her allegations (paraphrased) includes stalking, both inside and outside of Gold's Gym, harassing her while she was working out, bullying her as well as others, and intimidating her by dropping weights on the floor near her. She further tried to get my membership cancelled because of my alleged actions and behavior while I was at the gym. She stated my purpose for being at the gym were for some reason other than working out, that I use the facility to harass and stalk her (Seymour). She presented no evidence to support her claim. I had 4 witnesses (including 1 Lake County Sheriff's Officer) who all believed there was no evidence of stalking. The injunction for Protection was dissolved.

In the letter from the President of Gold's Gym that cancelled Mrs. Seymour's membership he stated his investigation indicated the following: The individuals he talked to said no one could get near or look at her without having her verbally attacking them. If someone looked at her in passing, they said she would say, what are you looking at in a very demeaning and rude tone. There was also a situation one day with some staff members, who were in the sales area of the club while Mrs. Seymour was out on the cardio floor, which is visible from the sales area. Mrs. Seymour got off the cardio machine she was using, walked into the sales area and started yelling at the staff members. She told them to stop looking at her and talking about her.

In effect, all Mrs. Seymour's allegations were proven to be false. I believe this extremely bazaar behavior by her points that she is driven to lie with apparent dillusional characteristics.

On August 19, 2011, I filed a defamation of character, stress and monetary reimbursement claim with the Lake County Circuit Court. [REDACTED]

On September 6, 2011, a counterclaim was filed by Mrs. Seymour.

Between September 11, 2011 and May 12, 2012 a variety of events occurred including mediation, lack of notification to me, and being late for a hearing. In the end my small claims case was allowed to move forward.

On 3/6/2011 Mrs. Seymour's attorney withdrew from the case. In the motion to withdraw the following was stated: "That irreconcilable differences have arisen between the undersigned counsel and the Defendant rendering the undersigned unable to ethically and fairly represent the defendant in this matter. As such, it would be a hardship for counsel to continue representing the Defendant."

Stephen P. Matzuk, Florida Bar No. 977314

This further raises the question: To what ends Mrs. Seymour will go in pursuit of her goal?

On June 28, 2012 my small claims case (2011 SC 2975) was heard. Time ran out and the case was continued and scheduled for October 29 and 30, 2012.

During the time these Lake County legal issues were occurring two (2) other incidences have occurred between my Lake

Roberta Seymour claims that Kevin J. Milcheck has been bullying and harrassing her at Gold's Gym in Mount Dora. She also accuses him of stalking her both in the gym and outside

LAKE COUNTY

- 7-19-11 RS filed report w/Mount Dora police stating she has been harrassed and bullyed by KJM for over 2 year
- 7-26-11 RS filed temporary injunction for protection from KJM issued in Lake County. Hearing set for 8-9-11 at Lake County Judicial Center, Tavares FL
- 7-27-11 RS told by Gold's Gym that her membership was cancelled
- 8-3-11 RS denied by State Attorney--Lake County
- 8-9-11 ORDER - Injunction dissolved
- 8-19-11 KJM filed w/Circuit Court of Lake County for defamation of character, stress and monetary reinbursments
- 9-6-11 Counter claim by RS
- 9-28-11 Mediation hearing @ Lake County
- 10-5-11 Another mediation hearing - KJM thought it was 9:30 but was scheduled for 9:00 so he arrived late. He, therefore, requested the judge reschedule mediation hearing
- 10-18-11 Notice filed but no date set
- 3-6-12 RS attorney (Stephen P Matzuk) withdraws from case because he COULD NOT ETHICALLY & FAIRLY REPRESENT THE DEFENDANT in this case. Order granted 3-20-12
- 3-20-12 RS filed motion to withdraw defamation of character & reimbursement hearing
- 4-5-12 Hearing to dismiss set for 5-7-12 at Lake County Judicial Center, Tavares FL. KJM attorney filed for continuance. Initially KJM was not notified of hearing to dismiss.
- 5-22-12 RS motion to dismiss was DENIED
- 6-28-12 KJM's small claims case - 2011 SC 2975 heard. Time ran out and continuation scheduled for Oct 29-30 2012
- 6-28-12 KJM served an injunction to appear in Broward County in open court the day of the hearing

BROWARD COUNTY

Having no success in Lake County RS went to Broward County to file charges

- 10-22-11 RS filed w/Ft. Lauderdale police that she moved to Broward to avoid KJM's phone calls. Police advised her to change her phone and email. She said in another statement that she would change them when advised by her attorney.
- 10-27-11 RS filed for protection against repeat violence against KJM
- 11-2-11 KJM served injunction for protection against repeat violence against RS

ers to look at her computer, her husband's computer and my computer.

I wish to add four (4) additional comments that may have a bearing on the issues at hand. First, Mrs. Seymour's husband (Jeffrey) has been arrested four times, therefore, I fear for the safety of my parents and me. Second, I believe either her husband or one of his business partners are computer savvy with companies involved in this area, therefore, they may be capable of sending internet messages. Third, Mrs. Seymour is probably active in the social internet media platform and, as such, you may further enhance a charge against her and/or others, or find evidence vindicating me. And finally, I believe Mrs. Seymour has exhibited personality traits that make her a potentially dangerous individual to my parents, myself, or others. She has consistently verbally attacked those she believes are looking at her. As you know, the step after constant verbal abuse is physical abuse.

With the information you obtain in your computer sweep and speaking with my partial list of witnesses below you should be more than comfortable at charging her, or other appropriate persons, with the appropriate criminal acts. Hopefully our justice system will see fit to charge her and vindicate me.

I look forward to hearing from you regarding this issue.

Sincerely,

Kevin J. Milcheck

cc: Brad King, State Attorney, Lake County

cc: D. Gary Lashley Jr.

Assistant State Attorney, Lake County

Lake County Judicial Center

550 W. Main Street

PO Box 7800

Tavares, FL 32778

Below is a list of a few of my witnesses:

Office Clay Parker, Mount Dora Police Dept.

Officer Cecil Garrett, Lake County Sheriffs Dept.

Officer Brian Scavotto, Mount Dora Police Dept.

Christine Swaine, Manager Gold's Gym (now at the Altomonte Gold's Gym)

Pleasant A. Lewis, Owner, Gold's Gym