

IN THE CIRCUIT COURT OF THE 15TH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

CASE NO.:

**KARINA GORELIK and
MICHAEL BLUMSTEIN,**

Plaintiffs,

v.

ARIEL A. GORELIK

Defendant.

COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiffs, KARINA GORELIK (“KG”) and MICHAEL BLUMSTEIN (“Blumstein”) (collectively “Plaintiffs”), by and through the undersigned counsel, sues Defendant, ARIEL A. GORELIK (“Gorelik” or “Defendant”), and states as follows:

JURISDICTION, PARTIES, AND VENUE

1. This Court has subject matter jurisdiction over this action as it seeks damages in excess of \$50,000.00, exclusive of interest costs, and fees.
2. At all times material hereto, Plaintiff, KARINA GORELIK, was an individual and resided in Palm Beach County, Florida, and is otherwise *sui juris*.
3. At all times material hereto, Plaintiff, MICHAEL BLUMSTEIN, was an individual and resided in Palm Beach County, Florida, and is otherwise *sui juris*.
4. At all times material hereto, Defendant, ARIEL A. GORELIK, was an individual and resided in Miami-Dade County, Florida and is otherwise *sui juris*.
5. Venue is proper in this judicial circuit under Section 47.011 of the Florida Statutes because the events from which this cause of action accrues occurred in Palm Beach County, Florida.

6. All conditions precedent to the maintenance of this action have been met, performed, or otherwise waived.

7. Plaintiffs have retained the undersigned law firm to protect their interests herein and have agreed to pay the undersigned law firm a reasonable fee for its services.

GENERAL ALLEGATIONS

8. Plaintiff K.G. and Defendant Gorelik were previously married until September 18, 2019, when the Final Judgment of Divorce was entered.

9. Following their divorce, K.G. and Gorelik relocated to Florida, where they established separate residences.

10. At all material times hereto, K.G. resided in the residential property located at 8574 Apple Falls Lane, Boca Raton, Florida 33496 (the “**Property**”). The Property is owned by both K.G. and Gorelik.

11. Gorelik owns and resides in a luxury condominium, the Residences by Armani Casa, located at 18975 Collins Avenue, Apt. 3303, Sunny Isles, Florida 33160. This Armani condominium, which he purchased for approximately \$2.7 million, is situated two counties away from the Property, thereby physically distancing himself from K.G.

12. Indeed, while K.G. and Gorelik share minor children, Gorelik typically sends a driver to pick up the children for his timesharing periods and requires specific permission to enter the Property.

13. At all material times hereto, Plaintiff Blumstein, K.G.’s fiancé, would also reside at the Property.

14. Unbeknownst to Plaintiffs, and without their consent, when Gorelik requested permission to utilize the bathroom when he was dropping off the children to K.G. at the Property

on or about April 18, 2024, he secretly connected several surveillance cameras and other audio recording devices within the Property.

15. Plaintiffs had no idea that these devices were connected, and Defendant strategically hid them in a way to avoid detection and were used to view and record the Plaintiffs' private lives.

16. At all material times hereto, and without Plaintiffs' knowledge or consent, Gorelik covertly accessed the video and audio footage captured by these devices at any time, day or night. The footage, upon information and belief, included both live streams and recordings stored for later viewing, providing Gorelik with continuous surveillance of the Plaintiffs in their home.

17. Upon information and belief, Gorelik accessed the footage and/or recordings through an application installed on his mobile phone, allowing him unrestricted and unauthorized access to the Plaintiffs' most private moments.

18. The recordings that Gorelik viewed and listened to included highly intimate and personal content, such as private conversations between the Plaintiffs and their intimate interactions, including, but not limited to, sexual encounters.

19. Some of the intercepted communications were privileged conversations between K.G. and her attorney, related to ongoing post-divorce proceedings in Florida., as well as discussions with other individuals, whether in person at the Property or via telephone.

20. Gorelik confessed to a former female companion that he had secretly connected these surveillance devices, specifically to monitor K.G. inside the Property without her knowledge. He boasted about watching her on numerous occasions, stating that K.G. was entirely unaware of his ability to spy on her, and of course, Blumstein as well.

21. In a further invasion of privacy, Gorelik displayed live footage and audio recordings of K.G. to his then female companion, who was able to identify K.G. and clearly hear her conversations with another individual at the Property.

22. The full extent of this surveillance is unknown. Plaintiffs do not have knowledge regarding who else may have been shown this highly sensitive and unauthorized footage of the Plaintiffs in the privacy of their home. This violation of Plaintiffs' privacy rights has caused severe distress and damage, underscoring the egregiousness of Gorelik's actions.

23. Indeed, upon information and belief, the aforementioned recordings are readily accessible on the cloud storage system utilized by Gorelik, or any other digital storage device such as external hard drives, USB flash drives, personal computers, or even other cloud services.

COUNT I – INVASION OF PRIVACY
INTRUSION UPON SECLUSION

24. Plaintiffs, KARINA GORELIK and MICHAEL BLUMSTEIN, reallege and reaver Paragraphs 1 through 23 of this Complaint as if fully set forth herein.

25. Gorelik's electronic intrusion into Plaintiffs' private quarters without their knowledge or consent is a blatant invasion of their privacy and constitutes a violation of their right to seclusion protected under Florida law.

26. The Constitution of the State of Florida expressly recognizes a right to privacy under Article I, Section 12.

27. There is a universally recognized expectation of and right to privacy in one's home, and it is well-settled that the highest reasonable expectation of privacy a person can have is when they are in their home.

28. At all times material hereto, Plaintiffs had a reasonable expectation of privacy while within the confines of their Property, a sanctuary meant to be free from outside interference and observation.

29. Gorelik's intentional conduct, by secretly connecting and using the remote video and audio recording devices inconspicuously placed throughout the Property to observe, monitor and listen to Plaintiffs, constituted a deliberate and invasive breach of their privacy. Such conduct is not only deeply intrusive but is something that any reasonable person would find utterly objectionable and intolerable.

30. The extent of Gorelik's invasive surveillance was vast and indiscriminate, capturing the Plaintiffs, specifically K.G., in the most private and sensitive moments, including but not limited to, using the restroom, engaging in sexual relations with Blumstein, and having privileged conversations with her attorney. These actions demonstrate a shocking disregard for the Plaintiffs' dignity and privacy.

31. By surveilling and observing the Plaintiffs' conduct and/or listening to their conversations within their private residence, Gorelik intruded upon their most intimate and private moments. This intrusion was not limited to passive observation but included the active recording of their private lives in their home.

32. The extent and nature of the intrusion was a substantial infringement on the Plaintiffs' right to privacy and interest in seclusion, of a kind that would be highly offensive to a reasonable person with ordinary sensibilities.

33. Gorelik's conduct described herein is so outrageously offensive and extreme that it transcends all bounds of decency and morality.

34. Gorelik's unauthorized surveillance, observation, and listening of the Plaintiffs' in the privacy of their home were conducted in a vicious and malicious manner, with no legitimate purpose. This behavior was carried out with a calculated intent to invade the Plaintiffs' private lives, demonstrating a profound lack of respect for their fundamental rights.

35. As a direct and proximate result of Gorelik's intentional, tortious conduct, Plaintiffs suffered damages, which included, but are not limited to, mental and emotional anguish, stress and distress, humiliation, loss of capacity for the enjoyment of life, medical care and treatment, if any, and other unidentified compensatory damages. The Plaintiffs' losses are permanent and continuing in nature and they will continue to suffer losses in the future.

36. Plaintiffs reserve the right, pursuant to Section 768.72, Florida Statutes, to amend this Complaint to assess punitive damages against Gorelik for Gorelik's tortious and intentional misconduct in taking actions known to be wrongful and injurious to the Plaintiffs or in reckless disregard of the high probability of injury to the Plaintiffs.

WHEREFORE, Plaintiffs, KARINA GORELIK and MICHAEL BLUMSTEIN, demands judgment against Defendant, ARIEL A. GORELIK, for damages, together with interest and costs, and any further relief that the Court may deem just and proper under the circumstances.

COUNT II- INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

37. Plaintiffs, KARINA GORELIK and MICHAEL BLUMSTEIN, reallege and reavers Paragraphs 1 through 23 of this Complaint as if fully set forth herein.

38. At all material times hereto, Defendant Gorelik acted in an extremely outrageous manner with the intent to inflict severe emotional distress on the Plaintiffs when he (i) deliberately and covertly connected various remote video and audio recording devices throughout the Plaintiffs' Property without their knowledge or authorization; (ii) intentionally surveilled, observed, and listened to the Plaintiffs within the sanctity of their home without their knowledge; (iii) brazenly admitted and even boasted about these invasive actions on multiple occasions to third parties; and (iv) shamelessly showed and displayed unauthorized video footage and audio recordings of the Plaintiffs at the Property to others.

39. Gorelik's reprehensible behavior in observing, monitoring, and recording the Plaintiffs' private activities within their home, a sanctuary where there is a profound and justified expectation of privacy, constitutes conduct that is not just extreme and outrageous but is so abhorrent and intolerable that it shocks the conscience. Such actions are not only utterly unacceptable and intolerable to the Plaintiffs but would also be to any reasonable person, or to anyone who values the basic tenets of a civilized society.

40. Gorelik's actions demonstrated a complete disregard for or outright indifference to the rights and dignity of the Plaintiffs, showing an utter lack of care for the impact of his actions.

41. The foregoing conduct demonstrates that Gorelik intended to cause Plaintiffs to suffer emotional distress, or in the alternative, engaged in conduct with reckless disregard of the high probability that doing so would cause emotional distress to the Plaintiffs.

42. Gorelik knew or should have known that his vile conduct—observing, monitoring, and recording the Plaintiffs' private activities in their home—would highly likely result in severe emotional distress. His behavior was not just an invasion into the most intimate aspects of the Plaintiffs' lives; it was an attack on the Plaintiffs' sense of safety and well-being.

43. Gorelik knew or should have known that his outrageous and despicable conduct would cause severe emotional distress to the Plaintiffs upon their discovery of his violations.

44. Despite this knowledge and the clear foreseeability of the harm, Gorelik willfully undertook to secretly connect video and audio recording devices throughout the Property, and observed, monitored, and recorded intensely private matters of the Plaintiffs, in reckless disregard for their emotions and privacy.

45. The repeated and prolonged nature of Gorelik's monitoring, observation and exacerbates the extremity of his outrageous conduct, elevating it to a level that goes beyond all possible bounds of decency.

46. As a direct and proximate result of the foregoing, Plaintiffs suffered pain, humiliation, mental and emotional anguish, loss of capacity for the enjoyment of life and severe emotional distress. Plaintiffs' losses are permanent and continuing in nature and they will continue to suffer losses in the future.

47. Plaintiffs reserve the right, pursuant to Section 768.72, Florida Statutes, to amend this Complaint to assess punitive damages against Gorelik for Gorelik's tortious and intentional misconduct in taking actions known to be wrongful and injurious to the Plaintiffs or in reckless disregard of the high probability of injury to the Plaintiffs.

WHEREFORE, Plaintiffs, KARINA GORELIK and MICHAEL BLUMSTEIN, demands judgment against Defendant, ARIEL A. GORELIK, for damages, together with interest and costs, and any further relief that the Court may deem just and proper under the circumstances.

COUNT III – NEGLIGENCE PER SE

48. Plaintiffs, KARINA GORELIK and MICHAEL BLUMSTEIN, reallege and reavers Paragraphs 1 through 23 of this Complaint as if fully set forth herein.

49. The violation of a penal or criminal statute is actionable negligence per se.

50. Gorelik's conduct, as detailed in the preceding allegations, violate Section 810.145, Florida Statutes, titled "Video Voyeurism," which provides in relevant part that:

(2) A person commits the offense of video voyeurism if that person:

(a) For his...own amusement, entertainment, sexual arousal, gratification, or profit, or for the purpose of degrading or abusing another person, intentionally uses or installs an imaging device to secretly view, broadcast, or record a person, without that person's knowledge and consent, who is dressing, undressing, or privately exposing the body, at a place and time when that person has a reasonable expectation of privacy.

Fla. Stat. §810.145(2)(a).

51. Section 810.145(6)(b), Florida Statutes, provides that violations of this provision are punishable as a third-degree felony.

52. The foregoing statute(s) was promulgated by the Florida Legislature to protect the health, safety, property, and morals of the citizens of Florida by safeguarding them from invasive and harmful conduct.

53. Section 810.145, Florida Statutes, was enacted to protect a particular class of persons—those who are “dressing, undressing, or privately exposing the body,”—from unwarranted invasions and violations of their privacy.

54. Plaintiffs are members of the class which the statute(s) were intended to protect, and the damages suffered by the Plaintiffs—violations of privacy and accompanying emotional distress—are the types of damages the statute(s) was designed to prevent.

55. Gorelik for his own amusement, entertainment, sexual arousal, gratification, or for the purpose of degrading or abusing K.G. and/or Blumstein, intentionally connected and used video cameras and other audio recording devices to secretly view, broadcast, or record the Plaintiffs without their knowledge and consent. The foregoing occurred in the privacy of their home capturing moments of a highly intimate and personal nature, including without limitation, times when the Plaintiffs were dressing, undressing, or privately exposing their bodies.

56. Gorelik’s violation(s) of this statute therefore constitute negligence per se.

57. As a direct and proximate result of Gorelik’s intentional, tortious conduct, Plaintiffs suffered damages, which included, but are not limited to, mental and emotional anguish, stress and distress, humiliation, loss of capacity for the enjoyment of life, medical care and treatment, if any, and other unidentified compensatory damages. The Plaintiffs’ losses are permanent and continuing in nature and they will continue to suffer losses in the future.

WHEREFORE, Plaintiffs, KARINA GORELIK and MICHAEL BLUMSTEIN, demands judgment against Defendant, ARIEL A. GORELIK, for damages, together with interest and costs, and any further relief that the Court may deem just and proper under the circumstances.

COUNT IV – NEGLIGENCE PER SE

58. Plaintiffs, KARINA GORELIK and MICHAEL BLUMSTEIN, reallege and reavers Paragraphs 1 through 23 of this Complaint as if fully set forth herein.

59. The violation of a penal or criminal statute is actionable negligence per se.

60. Gorelik’s conduct, as detailed in the preceding allegations, violate Section 943.03, Florida Statutes, titled “Interception and Disclosure of Wire, Oral, or Electronic Communications Prohibited,” which provides in relevant part that:

(1) [A]ny person who:

- (a) Intentionally intercepts, endeavors to intercept, or procures any other person to intercept or endeavor to intercept, any wire, oral, or electronic communication;
- (c) Intentionally discloses, or endeavors to disclose, to any other person the contents of any wire, oral, or electronic communication, knowing or having reason to know that the information was obtained through the interception of a wire, oral, or electronic communication in violation of this subsection;
- (d) Intentionally uses, or endeavors to use, the contents of any wire, oral, or electronic communication, knowing or having reason to know that the information was obtained through the interception of a wire, oral, or electronic communication in violation of this subsection...

shall be punished as provided in subsection (4).

Fla. Stat. §934.03(1)(a), (c)–(d).

61. Section 934.03(4), Florida Statutes, provides that “whoever violates subsection (1) is guilty of a felony of the third degree.”

62. The foregoing statute(s) was promulgated by the Florida Legislature to protect the health, safety, property, and morals of the citizens of Florida.

63. Section 934.03(1), Florida Statutes, was enacted to protect a particular class of persons, specifically those who have not given prior consent to have their communications recorded or intercepted.

64. Regardless of the type of recording device used or the unlawful methods employed by Gorelik, there is no dispute that Gorelik improperly and unlawfully intercepted Plaintiffs' oral communications, including, but not limited to, privileged communications between K.G. and her attorney, to which neither Plaintiff consented to.

65. Further, Gorelik intentionally disclosed to other persons and, upon information and belief, intentionally used the contents of Plaintiffs' oral conversations, which he knew was obtained through his unlawful interception of the same.

66. Plaintiffs are members of the class which the statute(s) were intended to protect, and the damages suffered by the Plaintiffs were the type that the statute(s) were designed to prevent.

67. Gorelik's violation(s) of this statute therefore constitute negligence per se.

68. As a direct and proximate result of Gorelik's intentional, tortious conduct, Plaintiffs suffered damages, which included, but are not limited to, mental and emotional anguish, stress and distress, humiliation, loss of capacity for the enjoyment of life, medical care and treatment, if any, and other unidentified compensatory damages. The Plaintiffs' losses are permanent and continuing in nature and they will continue to suffer losses in the future.

WHEREFORE, Plaintiffs, KARINA GORELIK and MICHAEL BLUMSTEIN, demands judgment against Defendant, ARIEL A. GORELIK, for damages, together with interest and costs, and any further relief that the Court may deem just and proper under the circumstances.

DEMAND FOR JURY TRIAL

Plaintiffs, KARINA GORELIK and MICHAEL BLUMSTEIN, further demand trial by jury as to all issues so triable as a matter of right.

Dated this 2nd day of August, 2024.

Respectfully submitted,

s/ Adam J. Steinberg
Adam J. Steinberg (Florida Bar No. 389579)
Attorney for Plaintiffs
adam@adamsteinberglaw.com
LAW OFFICES OF ADAM J. STEINBERG, P.A.
200 S. Andrews Avenue, Suite 903
Fort Lauderdale, FL 33301
Phone: 954-548-3357
Facsimile: 888-222-4192

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