

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

CIRCUIT CIVIL DIVISION

CASE NO.:

RICHARD FELDMAN

Plaintiff,

v.

DAVID CONNELL and
MEAT MARKET BOCA RATON, LLC

Defendants.

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COMPLAINT

The Plaintiff, RICHARD FELDMAN, by and through his undersigned counsel, hereby sues the Defendants, DAVID CONNELL and MEAT MARKET BOCA RATON, LLC, (hereinafter referred to as "MEAT MARKET"), and alleges as follows:

Jurisdictional Allegations

1. This is an action for damages that exceed Fifty Thousand and 00/100 Dollars (\$50,000.00) exclusive of interest, costs, and attorneys' fees, in Palm Beach County, Florida.
2. The Plaintiff is a resident of Delray Beach, located in Palm Beach County, Florida and is *sui juris*.
3. The Defendant, DAVID CONNELL, is a resident of Deerfield Beach, Palm Beach County, Florida and is *sui juris*.
4. The Defendant, MEAT MARKET, is a Florida Limited Liability Company, with its principal place of business located in Boca Raton, Palm Beach County, Florida.

5. Venue is proper in this Court because the actions which give rise to this Complaint occurred in Palm Beach County, Florida, and all parties reside or are based in Palm Beach County, Florida.

6. All conditions precedent to this action have occurred or otherwise been waived.

Factual Allegations

7. On March 5, 2025, FELDMAN, accompanied by a friend, arrived at MEAT MARKET, which is an upscale steakhouse/restaurant located in Boca Raton, Florida.

8. Upon his arrival, FELDMAN immediately went to the outside bar at MEAT MARKET, saw an empty chair at the bar, and proceeded to stand at the bar in front of the empty chair, to place an order for a drink.

9. Shortly after FELDMAN began standing at the bar, in front of the empty chair, CONNELL, who was a regular patron of MEAT MARKET, approached FELDMAN and told him that he could not stand there and to leave the area. FELDMAN stated it was empty as he did not see any food or partially full drinks on the bar, which would indicate someone was sitting at the bar.

10. CONNELL then proceeded to put his hand on FELDMAN and screamed at him three times, telling him to move.

11. FELDMAN, confused as to why CONNELL approached him, touched him, and was aggressively screaming at him to move from the bar area, questioned CONNELL as to why he was touching him.

12. FELDMAN had no intention of sitting in the chair, and told CONNELL all he wanted was to order a drink.

13. When FELDMAN began to question CONNELL, as to why FELDMAN should move from the bar area, CONNELL became even more agitated, got closer in proximity to FELDMAN, touched him again, multiple times, continued yelling at him, and then forcefully struck FELDMAN in the back with his hand, in an attempt to move FELDMAN.

14. After CONNELL struck FELDMAN in the back, CONNELL moved the empty seat FELDMAN was standing by, in an apparent attempt to make space for him to attack FELDMAN. CONNELL then grabbed FELDMAN's shoulders, jostled FELDMAN, and as FELDMAN was falling down, CONNELL violently struck FELDMAN in the face with a closed fist.

15. FELDMAN fell on to a nearby table, due to the force of CONNELL pushing and striking him. As FELDMAN attempted to get up after CONNELL assaulted and battered him, CONNELL then pushed the back of FELDMAN causing him to fall back onto the table.

16. Due to the violent battery, FELDMAN suffered severe injuries to his head, ribs, legs, arms, and abdomen.

17. After the previously described altercation happened, where CONNELL assaulted and battered FELDMAN, FELDMAN informed security of the incident, and was led outside the restaurant, while CONNELL was allowed to remain inside the restaurant.

18. FELDMAN then called the Boca Raton police department regarding the incident that had just occurred.

19. Upon the police officer's arrival, they took statements from FELDMAN, CONNELL and an employee of the MEAT MARKET, Mikaylah Latson, who was working as a bartender at the time that CONNELL assaulted and battered FELDMAN.

20. From a review of the surveillance tape of the incident, taken from MEAT MARKET, Mikaylah Latson witnessed the entire incident.

21. When questioned by the police as to what had transpired, CONNELL falsely accused FELDMAN of being the initial aggressor, claiming that FELDMAN struck CONNELL with a closed fist first, and that CONNELL then threw a punch at FELDMAN in self-defense.

22. The police also spoke and took a recorded statement from Mikaylah Latson, an employee of MEAT MARKET, who was working as a bartender when CONNELL assaulted and battered FELDMAN.

23. Mikaylah Latson gave a sworn statement to the police. When giving her statement to the police, Mikaylah Latson falsely and recklessly told the police officers that (1) when FELDMAN was going up to the bar to get drinks, "he was shoving his way in between CONNELL and the female who accompanied him". (2) That FELDMAN was elbowing them, (with her illustrating to the cops, that FELDMAN was wildly throwing elbows) (3) that CONNELL said, "you need to stop", and that FELDMAN said "I am not moving", and then pushed CONNELL, which caused CONNELL to swing at FELDMAN.

24. Mikaylah Latson falsely and recklessly told and indicated to the police, that FELDMAN initiated physical contact first, and then shoved CONNELL, who then, in response to being pushed, punched FELDMAN.

25. The video surveillance of the incident, from MEAT MARKET's surveillance video, clearly shows that FELDMAN never was shoving his way in between Connell and the female who accompanied him or was wildly throwing his elbows. Moreover, that FELDMAN was the victim, as CONNELL initiated the contact, by physically touching FELDMAN multiple times, striking FELDMAN in the back with an open hand, then pushing and striking FELDMAN with a closed fist, all without provocation on the part of FELDMAN. This was all witnessed by Mikaylah Latson, as evidenced on the videotape of the incident.

26. As a result of the false and reckless statement that the MEAT MARKET's employee, Mikaylah Latson, gave to the police, FELDMAN was arrested outside the restaurant for battery. FELDMAN had never been arrested in his life, and he was now arrested for a crime, which he did not commit, and for which he was a victim.

27. This was all caused by the actions of Mikaylah Latson, an employee of MEAT MARKET, who was not being truthful to the police, and who recklessly provided false information to the police, upon which they relied upon. Latson told the police that CONNELL was a regular at the restaurant and is someone who Latson presumably knew and served on multiple occasions.

28. The police officer who ultimately arrested FELDMAN, stated on her bodycam video to FELDMAN that "we have a great witness, who sat there and saw everything, referencing the sworn statement taken from Mikaylah Latson. Moreover, the police officer told FELDMAN, that Mikaylah Latson was the "only independent witness". This clearly shows that the police officers took what Mikaylah Latson was telling them as a true account of what occurred, despite the fact that Mikaylah Latson gave a false and reckless rendition of what had actually occurred, with the false narrative that FELDMAN

was the aggressor and the one committing the battery, and CONNELL the victim of battery.

29. After the arrest had already occurred, the next day, FELDMAN was able, through his criminal counsel, to obtain videotape of the incident directly from MEAT MARKET. After FELDMAN and his criminal counsel reviewed MEAT MARKET's video surveillance footage from the date and time which the altercation between FELDMAN and CONNELL took place, it is clear that not only was CONNELL the initial aggressor, who assaulted and battered FELDMAN without provocation, but that Mikaylah Latson, in her capacity as MEAT MARKET's employee, gave a false and reckless sworn statement to the police, which led to the arrest of FELDMAN.

30. As previously discussed, Mikaylah Latson claimed that FELDMAN was the initial aggressor who initiated physical contact by pushing CONNELL. Despite this statement, as is clearly shown in the video footage obtained from the MEAT MARKET, CONNELL grabbed FELDMAN multiple times, struck FELDMAN in the back, then pushed and struck FELDMAN with a closed fist, without provocation, all of which Mikaylah Latson witnessed, as evidenced on the videotape.

31. Furthermore, after FELDMAN fell on to a nearby table as a result of CONNELL's assault and battery, CONNELL then pushed FELDMAN back on to the table as FELDMAN attempted to stand up, which Mikaylah Latson also witnessed.

32. Mikaylah Latson, as an employee of MEAT MARKET, gave a knowingly false statement to the police, or at a minimum, made the statement to the police with a reckless disregard for the truth. This was despite the fact that Mikaylah Latson witnessed

the entire event and should have simply told the truth to the police officers as to what occurred.

33. MEAT MARKET's video surveillance footage, recorded from the date and time of the altercation between FELDMAN and CONNELL and later reviewed by FELDMAN, clearly shows that Mikaylah Latson, an employee of MEAT MARKET, working as a bartender at the time, saw CONNELL strike FELDMAN in the back, and saw CONNELL grab, push, and then strike FELDMAN in the face with a closed fist.

34. Despite MEAT MARKET being in possession of surveillance footage of the incident, captured in real time, MEAT MARKET, by and through its employees, including its security, never reviewed the tape the night of the incident, in order to give a true description to the police of what had occurred. Moreover, MEAT MARKET, while in possession of the surveillance video, failed to offer or provide it to the police officer, the night of the incident, who was investigating the matter.

35. FELDMAN, when questioned by the police, prior to his arrest, continually pled to the police to watch the surveillance video. The police responded that the surveillance video was not available. MEAT MARKET, at all material times, did have the surveillance video on its cloud system, which could have been provided to the police and reviewed immediately.

36. Instead, MEAT MARKET, by and through its employee, and acting as an independent witness to the event, gave a statement to the police, which was relied upon, that FELDMAN was the aggressor, which was false and/or reckless, and failed to review or give a copy of the surveillance footage to the police officer, which would have exonerated FELDMAN, and resulted in him not being arrested.

37. As a result of being assaulted and battered by CONNELL, FELDMAN has sustained several physical injuries, along with substantial pain and suffering. Moreover, FELDMAN has suffered severe emotional distress and mental anguish due to being wrongly accused and arrested for a crime he did not commit.

38. Moreover, FELDMAN's arrest, and subsequent mental and emotional damage, was a result of the false statement, made with a reckless disregard for the truth by nature of the statement, given to the police by the MEAT MARKET's employee, Mikaylah Latson.

39. The Plaintiff has retained the undersigned attorneys to represent him in this action and is required to pay them a reasonable attorneys' fee for their services.

Count I – Civil Assault
(as to Defendant DAVID CONNELL)

40. FELDMAN avers all the allegations contained in paragraphs 1 through 38 above and incorporated them in this Count by reference as though they are fully set forth herein.

41. CONNELL made an unlawful, intentional threat to commit violence against FELDMAN by force due to CONNELL's agitated state when he got close in proximity to FELDMAN, yelled at him, pushed him, and raised his fist in a threatening manner.

42. Moreover, CONNELL had the apparent ability to cause harm to FELDMAN due to his proximity to FELDMAN, his agitated state, and the subsequent physical attack that followed.

43. As a result, CONNELL's actions created a reasonable apprehension of bodily harm or offensive contact with FELDMAN.

44. CONNELL's conduct was unlawful and not privileged or justified in any way.

45. As a direct and proximate result of CONNELL's actions, FELDMAN has suffered losses, including but not limited to physical injury, emotional distress, mental anguish, and pain and suffering.

WHEREFORE, the Plaintiff, RICHARD FELDMAN, demands a judgment against the Defendant, DAVID CONNELL, for compensatory damages for bodily injury, including past and future medical expenses, damages for pain and suffering, mental anguish, emotional distress, and loss of capacity for the enjoyment of life, both past and future; and such further relief this Court deems just and proper.

Count II – Civil Battery
(as to Defendant DAVID CONNELL)

46. FELDMAN avers all the allegations contained in paragraphs 1 through 38 above and incorporated them in this Count by reference as though they are fully set forth herein.

47. Without justification, CONNELL intentionally touched and applied force to the body of FELDMAN when he grabbed FELDMAN, struck FELDMAN in the back, pushed FELDMAN, struck FELDMAN in the face with a closed fist, and then pushed FELDMAN again when he was attempting to stand up after being forced to the ground by CONNELL.

48. The physical contact CONNELL made with FELDMAN was harmful, offensive, and against FELDMAN's will.

49. Moreover, CONNELL's actions were intentional, deliberate, and performed with the purpose of causing harmful or offensive contact with FELDMAN, or with a certainty that such contact would result.

50. CONNELL made physical contact with FELDMAN multiple times and moved a chair out of the way before grabbing and striking FELDMAN with a closed fist.

51. Furthermore, after striking FELDMAN with a closed fist, CONNELL then proceeded to push FELDMAN back to the ground as FELDMAN attempted to stand up and gather himself after being attacked by CONNELL.

52. CONNELL's repeated, and unwarranted, attacks on FELDMAN show his clear intention of physically harming FELDMAN.

53. FELDMAN never gave CONNELL consent to strike or touch him and CONNELL was not justified in his physical attack of FELDMAN as FELDMAN did not provoke CONNELL prior to being battered.

54. As a direct and proximate result of CONNELL's unlawful battery, FELDMAN has suffered losses, including but not limited to physical injury, emotional distress, mental anguish, and pain and suffering.

WHEREFORE, the Plaintiff, RICHARD FELDMAN, demands a judgment against the Defendant, DAVID CONNELL, for compensatory damages for bodily injury, including past and future medical expenses, damages for pain and suffering, mental anguish, emotional distress, and loss of capacity for the enjoyment of life, both past and future; and such further relief this Court deems just and proper.

Count III – Negligence
(as to Defendant MEAT MARKET)

55. FELDMAN avers all the allegations contained in paragraphs 1 through 38 above and incorporated them in this Count by reference as though they are fully set forth herein.

56. Defendant, MEAT MARKET, owed FELDMAN a duty of reasonable care as a business invitee on its premises.

57. MEAT MARKET, through its employee, Mikaylah Latson, breached that duty by negligently and/or recklessly providing false information to law enforcement, despite direct knowledge that such information was false.

58. At all relevant times, Mikaylah Latson was employed by the Defendant, MEAT MARKET, and was acting within the scope of her employment as a bartender.

59. Despite witnessing CONNELL's assault and battery of FELDMAN, Mikaylah Latson, as an employee of MEAT MARKET, made false statements to a Boca Raton law enforcement officer(s), claiming that FELDMAN was the aggressor who initiated physical contact with CONNELL and intentionally pushed him.

60. In truth, and in fact, Mikaylah Latson's statements to the police were knowingly false, or at a minimum, made with a reckless disregard for the truth, as it was later confirmed by MEAT MARKET's surveillance video, which captured the entire incident, that CONNELL was the initial aggressor.

61. As previously discussed, when Mikaylah Latson gave a sworn statement to the police, she falsely and recklessly told the police officers that (1) when FELDMAN was going up to the bar to get drinks, "he was shoving his way in between CONNELL and the

female who accompanied him”. (2) That FELDMAN was elbowing them, (with her illustrating to the cops, that FELDMAN was wildly throwing elbows) (3) that CONNELL said, “you need to stop”, and that FELDMAN said, “I am not moving”, and then pushed CONNELL, which caused CONNELL to swing at FELDMAN.

62. As a result of her sworn statement, and acting as an independent witness to the event, Mikaylah Latson falsely and recklessly told and indicated to the police that FELDMAN initiated physical contact first, and then shoved CONNELL, who then, in response to being pushed, punched FELDMAN.

63. Mikaylah Latson admitted to the police, that very same night, that CONNELL was a regular patron of the MEAT MARKET. As such, she likely gave the false description of the event to the police, in order to protect and cover for her and MEAT MARKET’s customer, so that their “regular” customer would not get into trouble.

64. Furthermore, the surveillance footage, which was provided by MEAT MARKET, days later, to FELDMAN’s counsel in the criminal action clearly shows that Makaylah Latson’s statements were not true and/ or were made with a reckless disregard for the truth. As the video footage shows, FELDMAN did not shove his way in between CONNELL and his patron, did not wildly swing his elbows, did not initiate the physical altercation with CONNELL, and did not shove CONNELL.

65. Moreover, the surveillance video shows Mikaylah Latson witnessing the entire event and what had actually transpired.

66. As a result of Mikaylah Latson's false statements, made with a reckless disregard for the truth, which she made during the course and scope of her employment for MEAT MARKET, law enforcement officers relied upon her account of what transpired,

as the only independent witness of the incident, and arrested FELDMAN. In fact, prior to his arrest, the police stated to FELDMAN, “we have a great witness who sat there and saw everything.”

67. FELDMAN was thereafter criminally charged with battery and suffered the humiliation and shock of arrest and the need to hire counsel to deal with the arrest.

68. Moreover, FELDMAN’s criminal charge of battery is now showing on the Palm Beach County, Clerk of Court’s website, as a public record, viewable by the public.

69. Mikaylah Latson’s statements were made within the scope of her employment, during a time when she was acting as an employee of MEAT MARKET, in the presence of law enforcement, and in relation to an incident occurring at her workplace.

70. Therefore, MEAT MARKET, as her employer, is vicariously liable for the negligent conduct of its employees under the doctrine of respondeat superior.

71. Mikaylah Latson, acting negligently and with reckless disregard for the truth, caused foreseeable harm to FELDMAN, which resulted in him being arrested that night and caused him humiliation, emotional distress, and legal fees.

72. Moreover, MEAT MARKET, which was in possession of the surveillance footage of the incident, acted negligently, by and through the conduct of its employees, including its paid security detail, by failing to provide or offer the police officers investigating the incident the ability to review the surveillance tape, the very same night that the incident occurred.

73. Despite MEAT MARKET being in possession of the surveillance footage of the incident, captured in real time, MEAT MARKET, by and through its employees, including its security, did not review the footage the night of the incident, in order to give

a true description of the event that occurred. Moreover, MEAT MARKET, while in possession of the surveillance video, failed to offer or provide it to the police officer who was investigating the matter.

74. Instead, MEAT MARKET, by and through its employee, gave a statement to the police, which was relied upon, that FELDMAN was the aggressor, which was false, and failed to review or give a copy of the surveillance footage to the police officer investigating the incident, which would have exonerated FELDMAN and resulted in him not being arrested.

75. As a direct and proximate result of Mikaylah Latson's negligence, for which MEAT MARKET is legally responsible, as well as MEAT MARKET's negligence in not reviewing and providing the surveillance tape to the police on the night of the incident, FELDMAN has suffered losses, including being arrested, emotional distress, loss of reputation, mental anguish, and expenses associated with the defense of false criminal charges.

WHEREFORE, the Plaintiff, RICHARD FELDMAN, demands a judgment against the Defendant, MEAT MARKET, for compensatory damages, including damages for pain and suffering, loss of reputation, mental anguish, emotional distress, and inconvenience. Also, FELDMAN seeks special damages to be awarded for the expenses required to hire a criminal law firm to defend him against the arrest, and such further relief this Court deems just and proper.

Count IV – Defamation (Vicarious Liability)
(as to Defendant MEAT MARKET)

76. FELDMAN avers all the allegations contained in paragraphs 1 through 38 above and incorporated them into this Count by reference as though they are fully set forth herein.

77. At all relevant times, Mikaylah Latson was employed by the Defendant, MEAT MARKET, and was acting within the scope of her employment as a bartender.

78. While acting as an employee for MEAT MARKET and despite having witnessed the incident involving CONNELL's assault and battery of FELDMAN, Mikaylah Latson falsely told law enforcement officers that FELDMAN was the aggressor and had initiated the physical altercation by pushing CONNELL.

79. As previously discussed, when Mikaylah Latson gave a sworn statement to the police, she falsely and recklessly told the police officers that (1) when FELDMAN was going up to the bar to get drinks, "he was shoving his way in between CONNELL and the female who accompanied him". (2) That FELDMAN was elbowing them, (with her illustrating to the cops, that FELDMAN was wildly throwing elbows) (3) that CONNELL said, "you need to stop", and that FELDMAN said "I am not moving", and then pushed CONNELL, which caused CONNELL to swing at FELDMAN.

80. As a result of her sworn statement, and acting as an independent witness to the event, Mikaylah Latson falsely and recklessly told and indicated to the police that FELDMAN initiated physical contact first, and then shoved CONNELL, who then, in response to being pushed, punched FELDMAN.

81. The statement made by Mikaylah Latson was knowingly false, or at a minimum made with a reckless disregard for the truth.

82. Mikaylah Latson made the false statement to police while actively working for MEAT MARKET and acting within the course and scope of her employment, and in relation to an incident that occurred at her place of work, MEAT MARKET.

83. Law enforcement reasonably relied on Mikaylah Latson's false statement as an independent eyewitness, which directly contributed to FELDMAN's arrest.

84. The defamatory statement was communicated to third parties, namely law enforcement officers, and imputed to FELDMAN the commission of a crime – namely battery – which constitutes defamation per se under Florida law.

85. Moreover, FELDMAN's criminal charge of battery is now showing on the Palm Beach County, Clerk of Court's website, as a public record, viewable by the public, resulting in damage to his reputation.

86. As a direct and proximate result of the defamatory statement, FELDMAN suffered losses, including being arrested, emotional distress, loss of reputation, mental anguish, and expenses associated with the defense of the false criminal charges.

WHEREFORE, the Plaintiff, RICHARD FELDMAN, demands a judgement against the Defendant, MEAT MARKET, for compensatory damages, including damages for pain and suffering, reputational damages, including, nominal damages and consequential damages, mental anguish, emotional distress, and inconvenience. Also, FELDMAN seeks special damages to be awarded for the expenses required to hire a criminal law firm to defend against the arrest, and such further relief this Courts deems just and proper.

Dated: April 2, 2025.

Demand for Jury Trial

The Plaintiff, RICHARD FELDMAN, hereby demands a trial by jury on all issues so triable.

DESIGNATION OF EMAIL ADDRESS(ES) FOR SERVICE

(Pursuant to Rule 2.516 Fla. R. Jud. Admin.)

The undersigned attorneys of The Sasson Law Firm hereby designate the following Email Address(es) for service in the above styled matter. Service shall be complete upon emailing to the following email address(es) in this Designation, provided that the provisions of Rule 2.516 are followed.

jamie@sassonlawfirm.com; garrett@sassonlawfirm.com

SERVICE IS TO BE MADE TO EACH AND EVERY EMAIL ADDRESS LISTED IN THIS DESIGNATION AND TO NO OTHERS.

The Sasson Law Firm

2500 North Military Trail, Suite 240
Boca Raton, Florida 33431
Telephone: (561) 246-5085

/s/ Jamie Alan Sasson

JAMIE A. SASSON
Florida Bar No. 10802
GARRETT KESL
Florida Bar No. 124756