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April 23, 2026

Mr. Charles W. Burkett
1332 Biscaya Drive
Surfside FL 33154

Mayor@townofsurfsidefl.gov
charles@burkettcompanies.com

Charles W. Burkett, individually, and as Mayor of the Town of Surfside

Re: Demand for Immediate Cessation and Retraction of Defamatory Statements Concerning Shul of Bal Harbour, Inc.

Dear Mr. Burkett:

We represent **Shul of Bal Harbour, Inc.** (the "Shul").

This letter constitutes a formal demand that you immediately cease and desist from publishing false and defamatory statements concerning the Shul and that you issue a full, prompt, and unequivocal retraction of your prior statements.

1. DEFAMATORY PUBLICATIONS

On April 2, 2026, and in related communications using both the Town of Surfside's official government domain and personal email platforms, you published or caused to be published statements to residents of Surfside and others falsely asserting and implying, among other things, that:

- the Shul is attempting to "walk away" from millions of dollars in financial obligations;
- the Shul seeks to have "millions" of taxpayer funds effectively absorb or replace those obligations;
- the Shul received improper financial benefits, including your false statement that it received an "interest-free loan" or similar "gift" costing taxpayers millions;
- the Shul is using an election and related legal actions to obtain improper financial benefits; and
- the Shul is connected to or benefiting from so-called "dark money" used to support a candidate in exchange for favorable treatment.

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You have made similar statements and conveyed similar false implications in other communications to Surfside residents.

These statements are not protected opinion. They assert or imply verifiable facts and are demonstrably false.

2. FALSITY OF YOUR STATEMENTS

Your statements materially misrepresent the Shul's February 25, 2026 correspondence to the Town Manager.

That letter did not request debt forgiveness or seek to avoid any lawful obligation. Rather, it articulated a good-faith contractual and legal dispute concerning whether any payment obligation had arisen under the governing agreement, including whether the Town had performed the requisite consideration to trigger any such obligation.

Your public characterization of the Shul as attempting to "walk away" from obligations or shift millions of dollars to taxpayers is false and defamatory.

Likewise, your assertion that the Shul received an "interest-free loan" or any comparable financial "gift" from the Town is false. No such "loan" ever existed.

3. FALSE IMPLICATIONS OF DISHONEST CONDUCT

Your communications, taken as a whole, convey the false and defamatory implication that the Shul has engaged in improper, unethical, or dishonest conduct in connection with its contractual position and its interactions with the Town.

In particular, your statements suggest that the Shul is attempting to improperly leverage political influence to avoid financial obligations and obtain financial benefits at the expense of taxpayers.

Furthermore, your communications convey the false and defamatory implication that the Shul and its alleged "allies" are connected to or benefiting from so-called "dark money" funding intended to influence the outcome of the election for improper financial gain.

In context, your statements regarding "dark money groups and big donors" securing "millions in value" through favorable votes are presented in a manner that ties those assertions to the Shul and its alleged interests. This creates the

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false and defamatory impression that the Shul is engaged in improper or corrupt financial influence over public officials.

These implications are false.

4. FALSE IMPLICATIONS REGARDING POLITICAL ACTIVITY

Your communications also falsely suggest that the Shul is supporting, promoting, or acting in coordination with a candidate in the current election. That assertion is false.

The Shul maintains a longstanding policy of not endorsing or supporting any candidate in elections.

Consistent with that policy:

- candidates are permitted to address the Shul congregants collectively at a Shul-sponsored event only if all candidates are given equal opportunity to be heard; and
- with respect to the current election, the Shul did not host any candidate appearances due to the proximity of the election.

Accordingly, any statement or implication that the Shul has supported, promoted, or acted through any candidate is false. Your allegations of political manipulation are false and defamatory, and you either knew or should have known these facts to be materially false at the time of your publications.

5. LEGAL CONSEQUENCES

Your statements constitute defamation *per se* under Florida law because they falsely impute dishonest and unethical conduct.

Additionally, your repeated publications, taken together, create false and defamatory implications that the Shul engaged in improper and corrupt conduct.

Your conduct is further aggravated by:

- repeated publication;
- dissemination to a broad audience;
- your representation that your statements were "documented and verifiable";
- knowledge of facts contradicting your statements, including the Shul's written communications and publicly known policies; and
- reckless disregard for the truth.

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6. DEMAND FOR IMMEDIATE ACTION

Accordingly, we demand that you:

A. CEASE AND DESIST

Immediately cease and desist from making, publishing, or republishing any false or defamatory statements concerning the Shul.

B. RETRACTION

Within three (3) days of receipt of this letter, issue a written retraction that:

1. Is disseminated, at your expense, to the same or substantially similar audience as your prior communications, including through the same communication channels and distribution lists used for the original publications, and in any additional manner necessary to reach substantially the same audience;
2. Clearly states that your prior statements regarding the Shul's alleged attempt to "walk away" from financial obligations and to shift financial burdens to taxpayers were false;
3. Withdraws any assertion or implication that the Shul engaged in improper, dishonest, or unethical conduct;
4. Withdraws any statement or implication that the Shul supported, endorsed, or acted in coordination with any candidate; and
5. Is not qualified, hedged, or accompanied by additional defamatory commentary.

C. PRESERVATION OF EVIDENCE

Preserve all documents, communications, drafts, emails, mailing lists, and metadata relating to your publications concerning the Shul.

7. FAILURE TO COMPLY

If you fail to comply with these demands, the Shul will pursue all available legal remedies, including filing suit seeking:

- compensatory damages;
- presumed damages;
- punitive/exemplary damages;
- costs and interest; and
- such further relief as a Court of proper jurisdiction deems just.

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Nothing in this letter constitutes a waiver of any rights, claims, or remedies, all of which are expressly reserved.

We strongly encourage you to take this matter seriously and respond within the time provided.

GOVERN YOURSELF ACCORDINGLY.

Sincerely,

Steven M. Dunn
Chair of The Shul Legal Committee

c.c. Town Manager of Surfside, Mario Diaz
Town Attorney, Thais Hernandez

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