

JDR: sl
5-8-80
2226

IN THE CIRCUIT COURT OF THE 11TH
JUDICIAL CIRCUIT IN AND FOR DADE
COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

CASE NO. 80-3350 Div. 18
"J" Silver

REVEREND JOSE REYES,)
Plaintiff,)

vs.)

MANUEL ESPINOSA,)
Defendant.)

AMENDED COMPLAINT

COMES NOW the Plaintiff, REVEREND JOSE REYES, by and through his undersigned attorneys, and sues the Defendant, MANUEL ESPINOSA, and alleges:

COUNT I

- 1) That this is an action for damages in excess of TWO THOUSAND FIVE HUNDRED AND NO/100 (\$2,500.00) Dollars.
- 2) That at all times material hereto, the Plaintiff, REVEREND JOSE REYES, is over the age of 21 years sui juris, and a resident of Miami, Dade County, Florida.
- 3) That at all times material hereto, the Defendant, MANUEL ESPINOSA, is over the age of 21 years sui juris, and a resident of Miami, Dade County, Florida.
- 4) That at all times material hereto, the Plaintiff, REVEREND JOSE REYES, is President of the "Committee of 75" and President of the "Operation Cuban Reunification, Inc."
- 5) That at all times material hereto, the Plaintiff, REVEREND JOSE REYES, has acted and assisted in obtaining the release of political refugees in Cuban jails and has inspired and encouraged dialogue between the Cuban community in Miami and Fidel Castro for the sole purpose of obtaining the release of Cuban refugees, so that they may be reunited with their families.
- 6) That Plaintiff, REVEREND JOSE REYES,

has gone to Cuba as a representative of the above-mentioned committees in excess of twenty (20) times for the sole purpose of encouraging the dialogue which has finally consummated in the release of political prisoners, and the reunification of families.

7) That on or about January 31, 1980, February 5, 1980 and February 12, 1980, the Defendant, MANUEL ESPINOSA, scheduled certain press conferences at the Columbus Hotel in Miami, Dade County, Florida at which time he invited members of television, radio and newspaper to attend.

8) That on each of the above dates, the Defendant, MANUEL ESPINOSA, did maliciously, intentionally, falsely and with malice aforethought prepare, compose, and deliver by word of mouth false and untrue statements concerning the Plaintiff, REVEREND JOSE REYES.

9) That in making said communications, the Defendant, MANUEL ESPINOSA, stated and intended to mean that the Plaintiff, REVEREND JOSE REYES was:

a) "A man who has sold his principles to Cuba's Communist Regime";

b) "A man who has been a Pastor for many years, speaks of reunification, but has been separated from his family in his own house for ten (10) years";

c) "A man whose own son screamed at him: 'informant', at Havana Riviera in front of everyone";

d) "A man, who as per Jose Ignacio Marquez, 'was involved until he got a woman pregnant in Cuba'";

d) "A man who went with a journalist to Cuba and transferred secrets in a suitcase for the benefit of Communism."

10) That the Plaintiff, REVEREND JOSE REYES, has always enjoyed a good reputation for honesty, truthfulness and has had the standing as a moral individual.

11) That the publicity of these defamatory remarks has caused the Plaintiff's reputation to suffer, his standing in the community to be compromised, and his personal status lessened; that he has suffered severe emotional distress as a result thereof, both now and in the future.

12) That the Plaintiff has demanded a retraction by said Defendant, without success.

13) That the Plaintiff as a result of the Defendant's defamatory remarks, has sustained compensatory and punitive damages in excess of ONE MILLION AND NO/100 (\$1,000,000.00) Dollars.

W H E R E F O R E, Plaintiff, REVEREND JOSE REYES, demands judgment for damages against the Defendant, MANUEL ESPINOSA, his costs herein, and further demands trial by jury.

COUNT II

14) Plaintiff, REVEREND JOSE REYES, readopts and reaffirms all those allegations contained in Count I, paragraphs numbered one through thirteen, as if they were set forth in toto.

15) That the defamatory remarks so published by the Defendant are libel per se.

16) That the Plaintiff has demanded a retraction of said defamatory remarks by the Defendant, to no avail.

17) That as a direct and proximate result of these defamatory remarks the Plaintiff's reputation has suffered, his standing in the community has been compromised, his personal standing in the community has been severely undermined; that he has suffered severe emotional distress, and will so, both now and in the future.

W H E R E F O R E, Plaintiff, REVEREND JOSE REYES, demands judgment for punitive damages against the

Defendant, MANUEL ESPINOSA, his costs herein, and further demands trial by jury.

WE HEREBY CERTIFY that a true and correct copy of the foregoing Amended Complaint was forwarded to ELLIS S. RUBIN, ESQ., Attorney for Defendant, 265 N.E. 26th Terrace, Miami, Florida 33137 this 9th day of May, 1980.

LAW OFFICES OF ROBRISH, MAJOR
& LOGAN, P.A.
Attorneys for Plaintiff
Suite 206, I.R.E. Group Building
2000 South Dixie Highway
Miami, Florida 33133
Telephone: 858-6373

BY 
JOEL D. ROBRISH