IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT, IN AND FOR BREVARD COUNTY, FLORIDA

MARK BACIAK,	CASE NO.: 05-2024-CA-019998-XXCA-BC
Plaintiff,	CASE NO.: 03-2024-CA-019990-AACA-DC
v.	
GARY KIRBY,	
Defendant.	1

PLAINTIFF'S FIRST REQUEST FOR ADMISSIONS TO DEFENDANT

Plaintiff,\ MARK BACIAK ("Plaintiff"), through the undersigned attorney, and pursuant to Florida Rule of Civil Procedure 1.340, propounds its First Set of Admissions upon Defendant GARY KIRBY ("Defendant"), and requests that Defendant answer these Admissions in writing, within thirty (30) days pursuant to the applicable Rules of Civil Procedure.

I. REQUESTS

- 1. ADMIT that Marck Baciak has loaned you money.
- 2. ADMIT that Mark Baciak has paid money to third parties that benefitted you.
- 3. ADMIT that you owe Mark Baciak money because he has loaned you money.
- 4. ADMIT that you owe Mark Baciak money because he paid money to third parties that benefitted you.
- 5. ADMIT that **exhibit one** attached to these requests shows that Mark Baciak lent you \$1,700.00.
- 6. ADMIT that **exhibit two** shows Mark Baciak paying the Florida Department of State \$138.75 for your benefit.

Page 1 of 2

- 7. ADMIT that **exhibit three** shows Mark Baciak paying Attorney Daniel Martinez \$1000 for your benefit.
- 8. ADMIT that **exhibit four** shows Mark Baciak paying \$85,950.00 to Dianna Griffiths for your benefit.
- 9. Admit that **exhibit five** shows Mark Baciak lending you \$3,000.
- 10. Admit that **exhibit six** shows Mark Baciak lending you \$5,000.
- 11. Admit that **exhibit seven** shows Mark Baciak lending you \$1,700.00
- 12. Admit that **exhibit eight** shows you agreeing that you owe Mark Baciak money.
- 13. Admit that **exhibit nine** shows you agreeing to pay Mark Baciak \$500.00 a month to pay him back money you owed him.
- 14. Admit that **exhibit ten** shows you agreeing to pay Mark Baciak \$1,000 a month to pay him back money you owed him.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been furnished via e- service to Eric Hostetler, Esq., Attorney for Defendant, at Eric@USLegalTeam.com, cwhite@uslegalteam.com, and Jessica@uslegalteam.com on May 1, 2025.

Respectfully Submitted,

/s/Geoffrey Golub Geoffrey Golub, P.A. Geoffrey P. Golub, Esq. Florida Bar No. 992089 (321)757-6848 512 N. Harbor City Blvd. Melbourne, FL 32935 golublawfirm@gmail.com

263177903 - Space Coast Credit Union

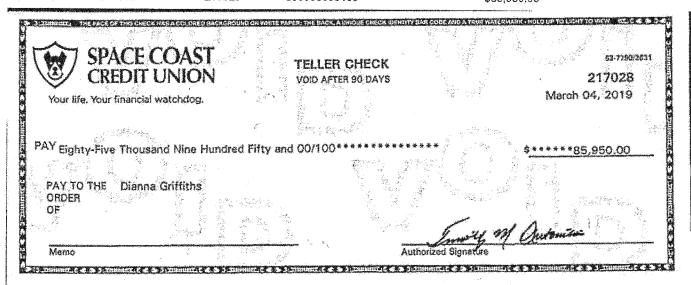
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263177903 - Space Coast Credit Union

Sequence #

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Wed, May 31 at 9:13 AM

May and June invest return due Effective 1 July 23 I want to increase the amount to \$1000 per month. I ran some numbers and even at the new amount it will take years to recover the current

OK. What do you have as current balance?

> 98792. I have a copy of the original spreadsheet and used that to start this spreadsheet and started it with a balance of 102292

Are you sure that's right I know I've produced more than 4k. Just let me know

I can make you a copy of both



Textodessage





Are you sure that's right I know I've produced more than 4k. Just let me know

I can make you a copy of both spreadsheets. I have 3 at 500 and 2 at 1000. These started on 14. October 22. I didn't get out of the hospital until 20. July 22 and didn't get back to start anything till. September:

I used what you did pay on the original and deducted that from the original investment to start the new spreadsheet.

I have 9995 received prior to October 22. Original investment was 113288

Okay that seems to make more sense now

Thu, Jun 8 at 12:46 PM

May and June ck?

It's a coming

Wed, Jun 14 at 7:31 AM









I have a number - \$500 a month Let me know what you think

Sep 10, 2022 at 2:03 PM

Call you back in a bit, I think that would work no problem



Sep 13, 2022 at 10:48 AM

I would like to start the checks no later than 1 October 22. Make checks payable to Mark or Cathy Baciak. Thanks!

Sep 29, 2022 at 1:06 PM

Did the medicine work for you?

Sep 29, 2022 at 6:41 PM

Man I got them too late, I had already shaken it. Hopefully I won't need those again that was awful



Oct 3, 2022 at 6:17 PM

It's 3 October. Got a check for us?



Text Message







Gary

It's 3 October. Got a check for us?

I'll grab one tm for you, banks were closed weekend



Oct 5, 2022 at 6:32 PM

is the check at Westside?

Oct 6, 2022 at 4:47 PM

Do you have the check?

Yes sorry I stayed in all day/night yesterday. I'll pop it in mailbox this evening for you

Ok Thenks!

Oct 7, 2022 at 3:53 PM

Where's the check?

Shit, it's in my office

Sorry for delay

Cathy is coming down tomorrow to watch ky basketball. I eave it in the

similar.

Text Message



Oct 11, 2022 at 3:57 PM

Gary :

Still no check

I'm back in town I'll take care of it tn

Oct 13, 2022 at 10:56 AM

I will be out and about today. I'll stop by Westside and pick up the check before 2

Let me know if the check will be there

Oct 14, 2022 at 2:44 PM

Where's the check?

Are you coming up for fish? I'm out running errands atm

Yes. Be there shortly

Okay Give me like 30 and I'll be there too. Fish sounds good. See you soon

Oct 14, 2022 at 4:49 PM

Thanks for the check

🗜 Text Message







Gary

Thanks for the check!

I'll have another ready next month



Ok Thankel

Nov 4, 2022 at 11:30 AM

Check this month?

Nov 4, 2022 at 2:41 PM

Yes

Nov 14, 2022 at 10:52 AM

Please leave the check in the drawer so we can pick it up when we are able to stop in and pick it up. Let me know when it's there. Thanks!

Nov 17, 2022 at 11:10 AM

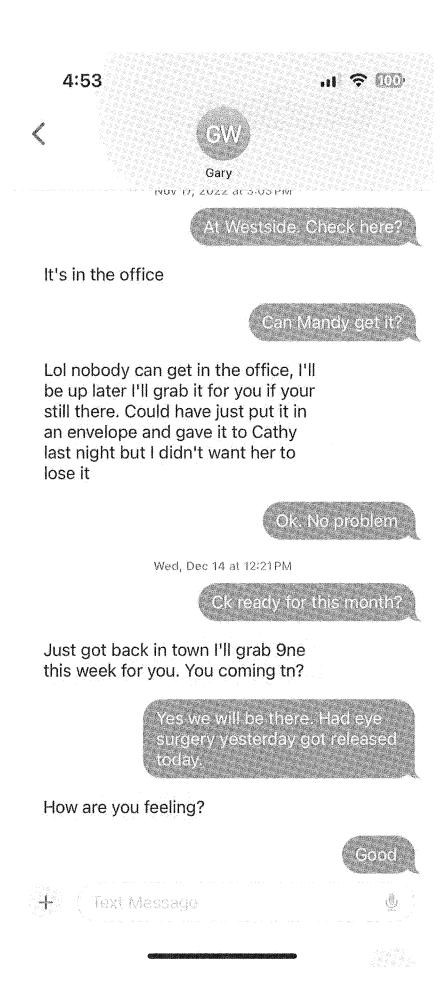
We will be stopping by Westside early afternoon. Please leave the check with Mandy so we can pick it up. Thanks

Nov 17, 2022 at 3:03 PM



Text Message













I have cash here if that works instead or I can grab a check Monday. Up to you



Cool. You coming up for steakshoot?

> No. Cathy is. Just put in an envelope and she will give it me She will text me when she gets it.

Rather just give it to you, you know how she gets sometimes. Lol

Can you believe someone stole the cowboys table?

No but there are a lot of Dallas fans

It's been outside for 2.5 years.



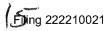
New people were there for the

I think it was this random black animia that iiiaa hara iraatardai



Text Message







Gary

Thu, Feb 9 at 3:46 PM

Cks in the mail?

Thu, Feb 9 at 7:10 PM

I've still got it here its only one but made for 1000. I guess I'll just give it Cathy I just don't want her to lose it. Idk how long she's staying

That will work, I will be picking them up later so she can hang on to it till then. Thanks

Okay sounds good

Is that her brother or son?

Burnine,

10-4

Thu, Feb 9 at 8:55 PM

Thanks for the ck!

No problem, thank you

Fri, Mar 10 at 5:48 PM

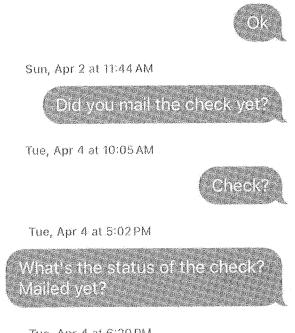
Ok for March?



Text Message

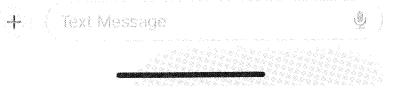


Prlly just send 2



Tue, Apr 4 at 6:20 PM

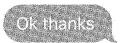
Sending both to you this week sorry for delay



For

Thu, Apr 13 at 10:02 AM

It's in your mailbox I just dropped it off



Wed, May 31 at 9:13 AM

May and June invest return due.
Effective 1 July 23 I want to
increase the amount to \$1000 per
month. I ran some numbers and
even at the new amount it will take
years to recover the current
balance.

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