



# ATHEISTS OF FLORIDA

## SETTING THE RECORD STRAIGHT

March 2012

### INTRO:

What exactly happened to Atheists of Florida at the end of 2011? A number of wild, irresponsible accusations have been flung by (and at the behest of) Edward "Golly" Gollobith in his months-long campaign to assassinate the characters of certain atheist activists. But is there any substance to his tangled web of wild conspiracy theories?

Should verifiable details and actual facts matter more than spiteful accusations?

What is the real story, and how can an interested, cautious reader check it for accuracy?

Behind all the machinations, this was all about Edward J. Gollobith's fear of losing control of a group he considered a sole proprietorship that he "owned."

This newsletter will rebut Gollobith's allegations that he deployed in his fraudulent attempt to expel John Kieffer, EllenBeth Wachs and Rob Curry as officers and members.

Gollobith admitted that he initiated actions to halt the legitimate election ~ thereby tarnishing the reputation of the group and deeply confusing and alienating its members. Blaming others after the fact for the consequences of his own unprofessional actions, he abused the trust placed in him by misleading even his supporters with fanciful conspiracy tales and outright lies of omission, even before embarking on his campaign to attack those who justifiably did not recognize his presumed "ownership" of Atheists of Florida.

*A link to an expanded online version of this newsletter is located at ...*

**[AtheistsofFlorida.org](http://AtheistsofFlorida.org)**

*The link will take you to our*

***Free2think.org*** forum

*where you will find documentation, such as bank receipts, checks, attorney invoices, Paypal records, which will substantiate the facts forwarded here.*

### Part 1: ILLEGITIMATE ATTEMPT TO REMOVE JOHN & ELLENBETH AS OFFICERS

As president, John Kieffer had thirty days prior scheduled and notified board members of a quarterly meeting for Sunday, **November 6**. However, this board meeting had been officially cancelled a week prior on October 31 due to multiple procedural, statutory and bylaw irregularities.

The actions at that cancelled meeting, in which Kieffer and EllenBeth Wachs were supposedly removed as officers, are thus completely illegitimate.

Disregarding the Acting President's executive order canceling the meeting,

Edward Gollobith went ahead with it anyway.

Tony Calero reports how he was told he was not welcome at the meeting by Gollobith's current girlfriend, Sandra Smith, because the meeting was for "board members only." Life member and legal fund donor Allen Szczepek was also not welcomed, but was eventually allowed to stay after he demanded to speak with a board member concerning his right to be there.

**The process that day can best be described as a 'kangaroo court.'** Events

had been obviously choreographed in advance with a predetermined verdict that could not be disturbed by due process or the potential for discovery of the facts through open discussion.

*For additional details of bylaw violations, the exclusion of valid board members, the felony use of a fictitious name, the smoking gun and more, please see the expanded details available online.*

## Part 2: FRAUDULENT EXPULSION OF JOHN & ELLENBETH ... WHY?

Shortly after the meeting on November 6, Gollobith and two others proceeded with yet another illegitimate procedure to allegedly revoke EllenBeth's and John's membership in Atheists of Florida.

To date, no specific information about the meeting participants, issues, charges and other details surrounding this false revocation has been provided to either individual. This blatant violation of the Florida Statutes that govern how memberships may be

suspended or revoked is not even a valid part of the organization's procedures. The unaltered bylaws list a different process where the membership at large votes on any expulsion only after hearing evidence, including accusations and a defense.

So why did Gollobith want to kick out two hard working, dedicated members in such a secretive way?

**Because simply removing John and EllenBeth as officers would not re-**

**move them from the ballot of an ongoing election.**

Additionally, as members, John and EllenBeth could just nominate and promote themselves in any future board election. Only an expulsion could prevent members from having a legitimate chance to vote for their real preferences in an open, free and fair election.

## Part 3: EXTENSION OF BOARD MEMBERS' TERMS? NOT SO FAST!

The bylaws of Atheists of Florida specify that the terms of all "at large" board members (non-chapter directors), which includes Gollobith, expired on November 30, 2011.

Legally, the bylaws cannot be changed without membership approval, as there has never been any legitimate alteration of the sole right of members to approve amendments. This is reflected in the

bylaws themselves for over 12 years, and also reflected in the Board of Directors meeting minutes from October, 2010.

In a panicked self-serving ploy, Gollobith hastily and improperly called another meeting to extend the terms of at-large board members.

The only board members that actually continue under the bylaws are only those chapter directors who were elected

as such by the members of their chapter. In a wonderful twist of irony, there is only one such person who qualifies: EllenBeth. She was elected in 2010 and concomitantly placed on the Board of Directors that same year. State law, which pre-empts bylaws, specifies that she can only be removed by a vote of her chapter members.

## Part 4: FINANCIAL ACCOUNTABILITY & "UNAPPROVED" EXPENDITURES

The thin veneer concocted by Gollobith to validate his attempted coup has centered on the issue of financial accountability and unapproved expenditures. He lists two in his first 'newsletter' dated 12/2011:

- 1) documentation of \$60,000 in criminal and civil legal fees;" and
- 2) an "\$18,000 check was written ... without approval of, or mention to, the Financial Oversight Committee ['FOC'], or knowledge of any of the board members."

**The fact is that all expenditures, re-imbursements, and transfers were properly approved.**

Gollobith has alleged on numerous occasions that "they [EllenBeth and John] refused to provide the board with any documentation of those expenditures whatsoever." **This is an outright lie.** John HAD the documentation with him at the time of the illegitimate meeting of 11/6. Moreover, all current statements for EllenBeth's attorney, Larry Walters, were made available to Gollobith and two other board members (Matt Cooper and Joe Reinhardt) on September 11, during a Financial Oversight Committee meeting discussed later in this newsletter. **The 3 handled the documents and their fingerprints are on them.** Lie detector tests anyone?!

> Following the September 4 Board meeting, John requested a meeting with members of the informal FOC and received approval for the expenditure of \$2000.00 for a private investigator recommended by his criminal defense attorney, Nick Ficarrota.

> Following the September 11 Tampa Chapter Meeting, John met with three of the five representatives of the Financial Oversight Committee (Gollobith, Cooper and Reinhardt)

(continued on p. 3)

## Part 4 (Continued from previous page): FINANCIAL ACCOUNTABILITY

to request disbursement of \$18,040.92 to EllenBeth's legal defense fund. The funds were comprised of online donations to Wachs' legal defense, (\$8,040.92), plus a single check donation of \$10,000 from the Todd Stiefel Foundation. Among the donors were EllenBeth's friends, relatives, social networking contacts, affiliates and petition participants offering assistance in her

legal defense expenses associated with criminal charges and continuing legal strategies against the Sheriff Grady Judd and defense of her rights.

Documents were provided to committee members for inspection and all three FOC members approved the requested disbursement.

Gollobith later admitted under oath that an approval occurred at this meeting. His memory suddenly seemed to fail him when asked for details, which he could "not recall."

*All documents shown to FOC members are available at our online newsletter.*

## Part 5: ANNUAL REPORT IMPROPRIETIES? TRY AGAIN!

One of the issues that Ed Gollobith asserts in his December 2011 newsletter to validate his coup dealt with annual reports. If there were any improprieties in this area, it was Gollobith who is guilty:

1) First and most egregious, Gollobith **broke the law** (a third degree felony) by signing and identifying himself as the registered agent with a completely fictional name: "Ed Golly." His deceptive practice is recorded in state documents from 2006 through 2009 (*images online*).

In fact, such a fraudulent practice, if spotted by any of our detractors, could have been problematic for Atheists of Florida, both legally if not simply embarrassing.

2) Secondly, Gollobith was derelict in his responsibility as the registered agent to renew the AoF registration with the state for 2010. Renewal notices that were mailed to his attention in his capacity as registered agent were apparently ignored and, as a result, the corporation was administratively dissolved September 17, 2010.

It was EllenBeth who noticed and alerted John (president) and Rob Curry (executive director) of this problem in November 2010. John authorized her to immediately reinstate AoF as its registered agent. And if Gollobith acted surprised that he had been replaced as registered agent, he did not notice that fact until November of 2011, which meant that he had snoozed through both the 2010 and 2011 renewals, which, by the way, were professionally taken care of by EllenBeth without fanfare or glitch.

## Part 6: WEBSITE / FACEBOOK / TWITTER / DOMAIN NAMES

In his newsletter, Gollobith alleged that John "registered the domain names for our website in his personal name" as part of some sinister plan, which, Gollobith writes, was "to take complete control of the A of F Web site, Meet-up sites, Facebook page, free2think.org site, Paypal accounts, and the Twitter page."

**That paranoid delusion fails in two ways:**

First, Gollobith does not even get the facts correct, as the domain name ending in .org has always been registered on behalf of Atheists of Florida by the company hosting the web site. This was true since Rob Curry initially instructed our

web host to set it up. *AtheistsofFlorida.org* has never been registered under the name of John Kieffer or anyone else besides Atheists of Florida.

Second, he fails to consider why the unused top level domains ending in .net and .com were separately secured in the first place. Because they were not included in the Atheists of Florida web hosting package, John prudently purchased the domains to protect the integrity of the AoF name. Both are *unused* domain names being protected from the possibility of abuse.

Other online communications were established by the authority of the presi-

dent of Atheists of Florida, creating much local, national and international publicity for our ongoing civil rights activities.

Finally, John provided all PayPal access information and passwords to Nan Owens, the Treasurer, when she returned to Florida in September following her resignation earlier in the year due to an extended out of state absence and impending relocation.

*Copy of John's billing information showing the purchase of these domains in January 2011 are available on our online newsletter.*

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## Part 7: ELECTIONS

It is here that we find **Gollobith's motive**.

First, it is relevant that the election protocols as provided for in the Bylaws left much to be desired. Hence, John, assisted by his executive committee, comprised of the elected officers of the organization, attempted to resolve issues and meet the Bylaw mandated target date of having the election under way by November 1st.

Gollobith, the Chairman of the Board, which, by the Bylaws' own definition, had no executive authority to implement anything whatsoever, decided to interpret the bylaws his way and convince the board to reject John's election committee appointments. Gollobith's initial complaint and reason to take over the election committee appointments, which he, as chairman, had no authority to do, was that John was supposedly "tardy" with his appointments: an issue entirely of Gollobith's own creation.

On October 17, John stepped down as president to concentrate on his trial, which, at the time, was scheduled for the beginning of the following month, and EllenBeth, the Vice President, be-

came Acting President. As authorized by the Bylaws, she appointed an election committee (Rob Curry, Nan Owens, John Kieffer) and proceeded to fulfill the election requirement in a timely manner. As Acting President, EllenBeth participated as a *de facto* elections committee member.

On Sunday, October 23, an election committee meeting was held to which Gollobith and Tracy Thomas were invited but who neither responded or attended, and nor did Rob attend. At that meeting, Nan Owens, John and EllenBeth finalized the ballots, which were printed and mailed using a database list provided by Owens.

For several reasons, including the fact that Atheists of Florida is a state non-profit corporation, all present at the committee meeting agreed that Gollobith's legal name should be used on the ballot, a corporate document, instead of "Golly," which is fictional. "Golly" was included next to his legal name on the ballot bio.

In a phone call to John, **Gollobith complained that members would not recognize his legal name** and, therefore,

not vote for him. He also **lamented that EllenBeth had not included him in her slate** of nine nominees and one write in (Nan Owens) that she supported and had identified on her Facebook wall.

**Gollobith apparently believed that EllenBeth's Facebook post would potentially doom his reelection plans and, if elected, would sit on a board void of most of his close friends that he had been able to influence in the past.**

### **So Gollobith acted.**

First, with NO authority, he locked the President out of the AoF PO Box and office. In response, EllenBeth issued a change of address to a PO Box in Lakeland to safeguard organization mail, which Gollobith reversed, again with NO authority.

In his attempted coup, which holds no legal validity, Gollobith defied EllenBeth's cancellation of the November 6 Board meeting and went ahead with his sham, apparently prearranged kangaroo court, which then hurled our organization into the legal issues that we face at this time.

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