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IN THE CIRCUIT COURT OF THE
15th JUDICIAL CIRCUIT, IN AND FOR
PALM BEACH COUNTY, FLORIDA.

CIVIL DIVISION

CASE NO. 50-2022-CA-3940-XXXX-MB
SUPP. CASE NO.

PORT OF PALM BEACH DISTRICT,

900408344689

Judgment Creditor,

v.

TEETERS AGENCY & STEVEDORING,
INC., and MONARCH SHIPPING CO., LTD.,

Judgment Debtors,

And

WILLIAM E. TEETERS, II, CINDY LOU
TEETERS, SHERRY AN TEETERS BLACK,
HONORE EMPIRE, INC., a Florida corporation,
ROBERT A. BLACK, JR., COURTNEY
JACQUELINE DICKENS, JULIANA J. BLACK,
WILLIAM J. BLACK, ROBERT A. BLACK, JR.,
And MIRASOL ACQUISITIONS II, LLC, a
Florida limited liability company.

Defendants in Proceedings Supplementary.

AFFIDAVIT OF SHERRY ANN BLACK

BEFORE ME, the undersigned authority, personally appeared Sherry Ann Black, who,
being first duly sworn, deposes and says under oath:

1. I am over the age of 18 years old and I am competent to provide sworn testimony.

I have personal knowledge of the following information.

Teeters Agency and Monarch Shipping

2. I am not, nor have I ever been, an officer or director of Monarch Shipping Co.,

LTD (“Monarch”).

3. From approximately January 11, 2017 – February 20, 2019, I was an officer of Teeter Agency & Stevedoring, Inc. (“TAS”) until I was removed. At that time, my sister, Cindy Lou Teeters (“Cindy”), was added as secretary/vice president of TAS.

4. I have not been an officer or director of TAS since February 20, 2019.

5. I recently became aware that, as of April 6, 2022, my name was incorrectly listed as an officer or director of TAS on Florida’s “Sunbiz” website.

6. It appears that, simultaneously, Cindy’s name was removed as an officer and/or director and my name – *without my knowledge or consent* – was added as an officer or director of TAS.

7. I do not presently know how or why I became incorrectly listed on “Sunbiz” as an officer of TAS in April 2022.

8. At all times relevant, John Turner was the lawyer for TAS and he was the person who notified the State in February 2019 that I was removed as an officer of TAS.

9. According to Mr. Turner, he was the person who historically submits reports and amendments for TAS to “Sunbiz” however, as it relates to the April 2022 amendment which incorrectly lists my name, Mr. Turner did not submit that change and he does not know who did.

10. The April 2022 “Sunbiz” listing which identifies me as an officer of TAS is false.

11. By way of background, TAS and Monarch were businesses originally started by my father, William E. Teeters (“William Sr.”).

12. William Sr. passed away on March 16, 2013.

13. Towards the end of William Sr.’s life, my brother, William E. Teeters, II (“William Jr.”), and my sister, Cindy, took control of TAS and Monarch.

14. My last day at the TAS office was April 18, 2022.

15. Between February 20, 2019 – April 18, 2022, the following statements are true regarding TAS and Monarch:

- a. I performed limited office work subject to the authority of William Jr.;
- b. I did not have authority from Cindy to write checks from the general TAS bank account;
- c. I did not serve as an officer or director for TAS or Monarch; and
- d. I did not attend board or shareholder meetings for TAS or Monarch.

THIS LAWSUIT AND MAY 18, 2023 ORDER

16. In May 2022, when discussing issues relating to my Mom's Probate (defined below), William Jr. mentioned that he and Cindy were served with a lawsuit but I did not receive a copy nor know the details.

17. A year later, on April 28, 2023, attorney John Turner advised me, for the first time, that the Port of Palm Beach District ("Port of PB") was pursuing claims against me and/or that it had sought to record a lis pendens on my home at 10800 SW Greenridge Lane, Palm City, Florida 34990 ("Greenridge Property").

18. It was then that I first became aware of the Judgment against TAS and Monarch.

19. It was not until May 2023 that I learned of a "Fact Information Sheet" or that, according to the Judgment, a Fact Information Sheet was supposed to be completed by TAS or Monarch. Regardless, as stated above, I do not have the authority to complete a Fact Information Sheet on behalf of TAS or Monarch.

20. It was not until late May 2023 that I learned that there was a First or Second Order Compelling Discovery (as identified in the May 18, 2023 Order).

21. Pursuant to paragraphs 2-3 on page 7 of the May 18, 2023 Order, the compliance officers of TAS and Monarch are to provide "Written Responses" with the "balance of the

Required Attachments.” While I maintain that I am not a compliance officer of TAS or Monarch, in order to fully cooperate with the Court and all parties, I served Written Responses under separate cover.

AFFIDAVIT PURSUANT TO MAY 22, 2023 NOTICE TO APPEAR

22. It is my understanding that, pursuant to the May 22, 2023 Notice to Appear (“Notice”), I am required to serve and file this affidavit stating why the Three Properties (defined below) should not be applied to satisfy the Judgment.

23. The Notice also requires that I prepare legal defenses which I am serving and filing under separate cover.

THE THREE PROPERTIES

24. During his lifetime, William Sr. obtained certain real properties which he gifted to his children and grandchildren.

25. Those certain properties include but are not limited to:

- a. Greenridge Property;
- b. 15660 41st St. Ct. N., Loxahatchee Groves, Florida, 33470 (“15660 Property”);
and
- c. 15212 133rd Ter. N., Jupiter, Florida 33478-8519 (“15212 Property”).
(collectively, “Three Properties”).

26. On or about August 20, 2011, William Sr. gifted the Greenridge Property to me.

27. William Sr. bought the 15660 Property during his lifetime. On or about March 30, 2018, Edna Lou Teeters (“Edna”), acting upon the wishes of her husband, William Sr., gifted the 15660 Property to my son, Jeff (William Sr.’s grandson).

28. On or about June 2013, upon the wishes of William Sr. and Edna, the 15212 Property was gifted to my son, RJ (William Sr.’s grandson).

29. Both of my sons and I took physical possession of the Greenridge and 15660 and 15212 Properties, respectively, at those times and we have each lived on our respective property since then.

30. Upon information and belief, my father's assets passed to my mother upon his death.

31. My mother, Edna, passed away on May 18, 2016.

32. The probate matters of *In re: Edna Lou Teeters*, Case No. 50-2016-CP-004969-xxxx-MB ("Mom's Probate") was opened in 2016 and remains open.

33. Attorney William Broome is the attorney handling my Mom's Probate.

34. In and around May – June 2022, I was advised by attorney Broome that, as part of my Mom's Probate, I needed to sign papers to complete the transfer of the legal title of the Three Properties as I already had equitable title of the Greenridge Property and my sons, respectively, had equitable title to the 15660 and 15212 Properties.

35. At the time I signed the papers to complete the transfer of legal title of the Three Properties on or about June 6, 2022:

- a. It was my understanding that the Three Properties had already been gifted from my parents to me and my two sons; and
- b. It was my understanding that the formalization of the transfer of the Three Properties related to my Mom's Probate.

36. Ever since I was gifted equitable title to the Greenridge Property by William Senior in May 2011, and in reliance of such gift, I have:

- a. Made the Greenridge Property my homestead;
- b. Paid the 2012 and 2021 property taxes on the Greenridge Property (I obtained an extension to pay the 2022 taxes);

- c. Paid the utilities and all bills relating to Greenridge Property;
- d. Paid the upkeep of Greenridge Property, which includes but is not limited to maintaining the landscaping and the six acres of property surrounding my homestead;
- e. Made improvements at the Greenridge Property, including but not limited to exterior and interior fencing of the property; installing landscaping; color metal roof on the house; installing hardy plank on home and detached garage; creating paddocks for horses; improving the barn; and replacing the well pump; and
- f. Invested in excess of \$200,000 of my personal funds into the Greenridge Property (the original purchase price in May 2011 was \$368,000).

37. For the following (non-exclusive) reasons, it would be inequitable, unfair, and unlawful for any of the Three Properties to be applied to satisfy the Judgment against TAS or Monarch:

- a. I did not intend to fraudulently convey the Three Properties nor commit fraud of any kind; my understanding was that I had equitable title to the Greenridge Property (and my sons had equitable title to the 15660 and 15212 Properties) and it was my intent to complete the transfer of legal title as part of my Mom's Probate;
- b. In marshaling the assets of TAS and Monarch, it would be unfair and inequitable for the Three Properties to be applied to satisfy the Judgment when TAS and Monarch has remaining assets and William Jr. and Cindy, who have sufficient assets to apply to the Judgment;

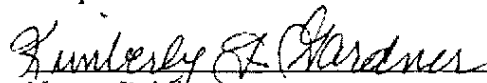
- c. TAS and Monarch have other assets to apply to the Judgment; because of that, there was no fraudulent conveyance of the Three Properties as there are ample assets to satisfy the Judgment;
 - d. To the extent that the Port of PB stands in the shoes of Monarch, it should be estopped from applying the Three Properties to the Judgment because William Sr. had gifted the Three Properties (my sons and I had equitable title); and
 - e. I was relying upon advice of counsel, and considered these steps as part of completing my Mom's Probate, when I completed the transfer of legal title to the Three Properties (and therefore could not have an intent to fraudulently convey anything).
 - f. I reserve the right to raise other defenses as discovery progresses.
38. The Affiant declares that the statements made in this Affidavit are true.



SHERRY ANN BLACK

STATE OF FLORIDA)
COUNTY OF PALM BEACH)

The foregoing instrument was acknowledged before me by means of physical presence, this 26th day of May, 2023, by SHERRY ANN BLACK who has produced driver license as identification.



Notary Public

