

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

GENERAL JURISDICTION

CASE NO.

OLEG FIRER, a individual,

Plaintiff,

v.

EVERETT STERN, an individual;
TACTICAL RABBIT, INC., a
Pennsylvania corporation,

Defendant.

_____ /

VERIFIED COMPLAINT

Plaintiff, OLEG FIRER (“Firer” or “Plaintiff”), sues Defendants EVERETT STERN (“Stern”) and TACTICAL RABBIT, INC. (“Tactical Rabbit”)(collectively “Defendants”), and states:

NATURE OF THE ACTION

Oleg Firer is a United States Citizen—a country to which he emigrated as “Stateless” at the age of 12 from the Ukraine (where he was born). Firer recognizes the United States as a beacon of freedom and one of the greatest countries in the world. Oleg Firer is also a citizen of Grenada and currently serves as Grenada’s Ambassador Extraordinary and Plenipotentiary to the Russian Federation. Firer—as he verifies in this complaint—**is not a Russian Spy**, and, in fact, Firer—like the Grenadian government—condemns Russia’s invasion of Ukraine. Defendants Stern (who is an independent candidate for the United State Senate in Pennsylvania) and his company Tactical Rabbit (who are both serial conspiracy theorists), have nonetheless embarked on a campaign

intended to defame Firer and destroy his life and business/governmental prospects through repeated allegations that Firer is a Russian spy—an allegation, again, with no basis in fact. All the aforementioned facts (U.S. Citizen, opposition to Russia’s invasion of Ukraine, etc.) make Defendants’ spy assertions—beyond being defamatory *per se*—especially hurtful to Firer. The motivation underlying Defendants’ actions are unclear. Though, Firer suspects that the motivation is both financial and political, as (i) Defendants are possibly being paid to defame Firer in furtherance of a personal or business vendetta by an unknown individual/entity; and/or (ii) Stern—to boost his faltering, essential non-existent Senate campaign—has decided to publicly label Firer as a Russian spy in order to capitalize on the current, populous anti-Russian sentiment.

THE PARTIES

1. Oleg Firer is a resident of Miami-Dade County, Florida and Moscow, Russia (as he is stationed there as the Grenadian ambassador to Russia) and is otherwise *sui juris*.
2. Everette Stern is a resident of Pennsylvania and is otherwise *sui juris*.
3. Tactical Rabbit, Inc. is a Pennsylvania corporation whose principal place of business is in Pennsylvania.

JURISDICTION AND VENUE

4. This Court has subject matter jurisdiction over this action as the amount in controversy exceeds the sum of \$30,000, exclusive of interest and costs.
5. Defendants are subject to personal jurisdiction in this Court by virtue of their engagement in business transactions in this State, and/or their tortious acts in this State, including (but not limited to) directing defamatory internet posts into Florida. These defamatory internet postings—as covered in more detail below—are directed at Firer who resides in Miami-Dade County, Florida and, until recently, ran a NASDAQ-listed publicly traded company from Miami-

Dade County, Florida. The posts even mention that Firer “has a place in Miami.” Firer’s family (wife and two daughters) also reside in Miami-Dade County, Florida.

6. Venue is proper in this Court as a substantial part of the events or omissions giving rise to Plaintiff’s claims occurred in Miami-Dade County, Florida.

GENERAL ALLEGATIONS

A. DEFENDANTS’ HISTORY OF UNFOUNDED THEORIES

7. Stern is founder and director of Tactical Rabbit. Tactical Rabbit describes itself as a private intelligence agency and offers its services for hire.

8. Stern and Tactical Rabbit have a history of making outlandish contentions, many of which contentions cannot be confirmed as true or accurate.

9. For instance, in association with the potential closing of Sweet Briar College in 2015, Stern held a press conference in which he laid out (on a dry eraser board) a purported multi-faceted and complex “fraud conspiracy” pursuant to which college President “James F. Jones Jr. has been assisting Board Chair Paul Rice in an effort to downplay the college’s \$84 million endowment and dupe other board members into enriching Rice’s associates and Rice’s family foundation,” as depicted below:

Sweet Briar supporters hear conspiracy talk from whistleblower turned PI



See <https://www.c-ville.com/sweet-briar-supporters-hear-conspiracy-talk-whistleblower-turned-pi>.

10. A college spokesperson stated that **“Everett Stern’s scurrilous accusations are outrageous and irresponsible.”**

11. These “fraud conspiracy” accusations were—to Firer’s knowledge—never established as true, but nonetheless grabbed Stern and Tactical Rabbit headlines (likely the point).

12. Stern and Tactical Rabbit have most recently turned their attention to former National Security Adviser Michal Flynn. Stern—in association with his U.S. Senate campaign—has referred to Flynn as a traitor to the United States. These allegations appear to be just that, as Michael Flynn has never been charged with treason and is otherwise still a free man.

13. Interestingly and somewhat hypocritically, Stern himself appears to have accused “Flynn Associates” of committing “defamation, slander & libel” against Stern and/or others. See <https://twitter.com/EverettStern1/status/1489822474682482691>.

B. OLEG FIRER IS A UNITED STATES CITIZEN WITH DEEP ROOTS IN THIS COUNTRY

14. Oleg Firer was born in the city of Odessa in the then Soviet Union, which is now Ukraine, on September 18, 1977 to Pavel and Larisa Firer. Firer and his family fled the Soviet Union to avoid religious discrimination and persecution for being Jewish. The Soviet Union denounced Firer's family as citizens of the Soviet Union and allowed them to leave as "Stateless" refugees. Firer and his family—when Firer was 12 years old—arrived in the United States as refugees and were deemed "Stateless" by international law. A Stateless person is not considered as a national by any state under the operation of its law.

15. Oleg Firer and his family established themselves in Brooklyn, New York and Firer became a United States citizen on August 14, 1996. Firer also is a citizen of Grenada. Firer was never a citizen of any other country because, as noted, he was deemed Stateless prior to becoming a citizen of the United States.

16. Firer went onto business success, holding senior executive positions in private equity, electronic transaction processing, wireless communications, and technology companies both private and public. Firer was recognized in 2012 as the founder of the "Fastest growing private company in the United States" according to Inc. Magazine. The company Firer founded was ranked #1 by Inc. Magazine.

17. Firer also has received many honors in the field of entrepreneurship, including "40 Under 40" (2016), "Outstanding Leader" (2014), "Dealmaker of the Year" (2014) and "The Best Entrepreneur of South Florida" (2013) and ranked by Forbes as top 5 Incredible Entrepreneurs (2013).

18. Firer, during his business career, served as a chairman of the board of directors of the investment firm, Star Capital, as well as a board member of several public/private financial companies and private technology companies.

19. Firer currently serves as a board member of several non-for-profit and non-governmental organizations, including the International Association for Economic Development, St. George's Club, Eastern Caribbean Blockchain Association and the Firer Family Charitable Foundation.

20. Firer also founded Unified Payments, a provider of payment processing services in the United States, which was acquired by Net Element, a NASDAQ-listed publicly traded company. From 2013 to 2021, Firer served as the chief executive officer and executive chairman of the board of Net Element, until its merger with Mullen Technologies in 2021.

C. OLEG FIRER'S DIPLOMATIC POSITIONS

21. Firer—on April 6, 2017—presented copies of his credentials and took on his responsibilities as Ambassador Extraordinary and Plenipotentiary of Grenada to the Russian Federation. In that role, Mr. Firer—like every other ambassador from every other country in the world to the Russian Federation—was required to present his diplomatic credentials to Vladimir Putin, as depicted in the below photo:

Grenada Ambassador to Russia Presents Credentials to President Putin



See <https://olegfirer.com/2017/10/03/firer-putin-credence/>.

22. Notably, on October 3, 2017, the President of Russia received credentials from 20 foreign ambassadors, including **the then** Ambassador of the United States, Jon M. Huntsman Jr. (**who is not accused of being a Russian spy**), as depicted below:

U.S. Ambassador to Russia Jon M. Huntsman, Jr. presents credentials to President Putin



See <https://ru.usembassy.gov/u-s-ambassador-russian-federation-jon-m-huntsman-jr-presents-credentials/>; and <http://www.kremlin.ru/events/president/news/55756/photos/50577>

23. Similar photos (as depicted below) exist of the United States **current** ambassador to the Russian Federation (**who is also not accused of being a Russian spy**).

U.S. Ambassador to the Russian Federation John J. Sullivan presents credentials to President Putin



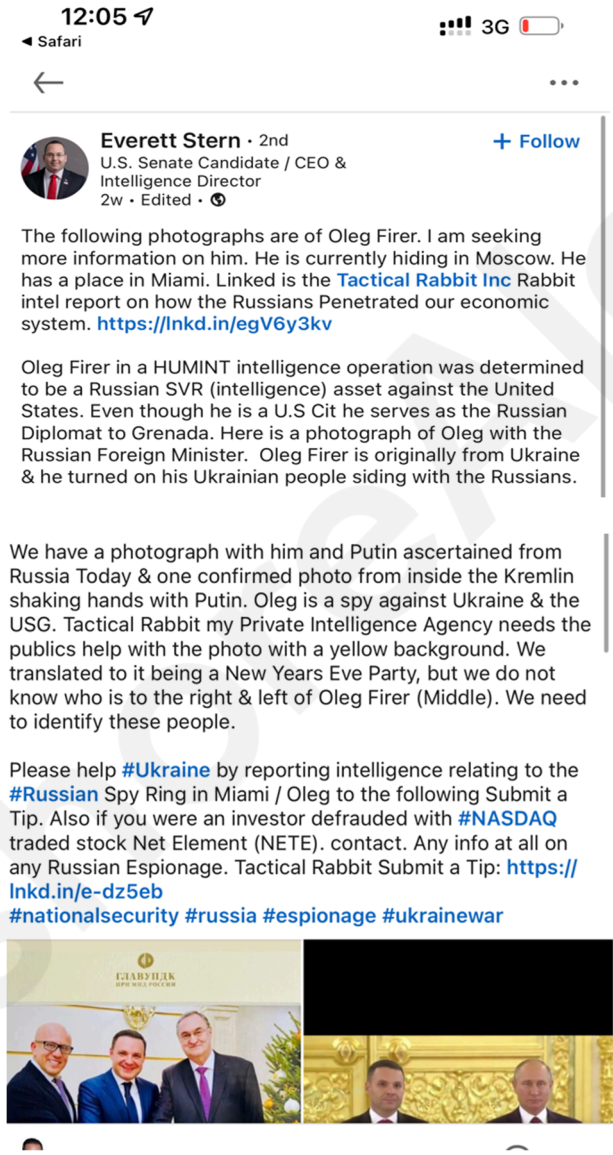
See <https://ru.usembassy.gov/u-s-ambassador-to-the-russian-federation-john-j-sullivan-presents-credentials-to-president-putin/>.

24. Having diplomatic relations with the Russian Federation does not make Firer (or anyone for that matter) a spy.

25. Firer, notably, is also currently accredited as ambassador to multiple other countries, including the Republic of Serbia and the Republic of Kazakhstan. Firer is also ambassador-designate to the Republic of Bulgaria, Czech Republic, Republic of Albania, Hungary and the Principality of Monaco.

D. THE DEFAMATORY PUBLICATIONS

26. Stern and Tactical Rabbit, as noted, have undertaken a systematic campaign of posting false and highly defamatory statements regarding Firer being a Russian spy. Below (in pertinent part) is one such post:



27. This post is both false and misleading in various regards.

28. **First**, as to the picture with Putin, that was taken—as noted—when Firer was required to present his credentials to Putin (as every other ambassador must do). As such, the contention that—because Firer was pictured with Putin—he must be a spy is simply wrong. If this were true, then every ambassador to Russia (including the U.S. ambassador) is a Russian spy (which, of course, is not accurate).

29. **Second**, the statement that Firer “serves as a Russian Diplomat to Grenada” is also false. The opposite—as noted—is true: Firer serves as a Grenada diplomat to Russia (among other countries).

30. **Third**, the allegations that Firer is “currently hiding in Moscow” is baseless. Firer travels freely across the world including the United States, where he was in January 2022.

31. **Fourth**, the statements that “Oleg Firer . . . turned on his Ukrainian people siding with the Russians” and that “Oleg is a spy against Ukraine and the USG” are false. Just the opposite is true. Firer adopts (a confirmed by the below verification) the Grenadian government’s official condemnations of the unprovoked Russian invasion of Ukraine (reprinted below):

Ref. No.
In replying the above
number and date of this
letter should be quoted
Tel: (473) 440 -5347/2061



GOVERNMENT INFORMATION SERVICE
5 TH FLOOR
MINISTERIAL COMPLEX
BOTANICAL GARDENS
TANTEEN
ST. GEORGE'S
GRENADA, W.I.

Statement by the Government of Grenada on the Situation in Ukraine

St. George: February 24, 2022: Grenada expressly condemns Russia's assault on the people of Ukraine which is contrary to the provisions of international peace and stability enshrined in the Charter of the United Nations.

Grenada therefore calls for an immediate end to the hostilities. The long history of diplomatic engagement among countries provides adequate tools for the settlement of disputes, without having to resort to violence which hurts the very people who give leaders legitimacy in office.

We therefore encourage diplomatic engagement to deescalate existing tensions between Russia and Ukraine.

Grenada reaffirms its commitment to the United Nations' principles of respect for sovereignty and territorial integrity of all states, and believes that universal respect and adherence to these norms and principles of international law are fundamental to the maintenance of the international system and global peace and security.

32. Moreover, Firer has (on behalf of Grenada) engaged in diplomatic relations with the Ukraine, as evidenced by the below pictures of Firer with the Foreign Minister of Ukraine executing international agreements between the two countries in Kiev, Ukraine in July 2020:



33. Firer was also present at the signing of documents by which Grenada formally established diplomatic relations with Ukraine, which occurred at the United Nations General Assembly in New York in 2019:



34. This further verifies that—contrary to Defendants’ defamatory posts—Firer has not betrayed Ukraine but rather has encouraged and negotiated furthered diplomatic relations with Ukraine.

35. As to the second photo in the defamatory posting, Defendants—in the post—ask the public for information to help identify the context of this photo.

36. This photo was taken at a New Year’s Eve Reception held for the heads of all 170 diplomatic missions accredited to Russia (including the United States, United Kingdom, Canada and other countries—like Grenada—who have opposed the Russian invasion of Ukraine).

37. The wording under the picture (in Russian) states: “New Year’s Reception. Hosted by the minister of foreign affairs of Russia S.V. Lavrov in honor of heads of diplomatic missions. December 1, 2019.” Notably, the United States ambassador to the Russian Federation (among almost every other ambassador accredited to Russia) was also present at this event.

38. The fact that Defendants—who describe themselves as a “private intelligence agency”—could not even identify or accurately describe the event at which the picture was taken (when it was written on the picture itself) casts significant doubt (beyond them just being wrong about Firer) on Defendants’ “intelligence” *bona fides* and support the fact that Defendants are knowingly and intentionally casting Firer in a false light.

39. The simple fact is, as noted, **that there is no veracity to the “Firer is a Russian spy” statements** and the only purported support that Defendants offer for this statement are some pictures (which merely confirm that Firer undertakes the same duties and attends the same events as other ambassadors to Russia) and Stern’s comment that HUMINT (which means human intelligence) operation has established this. No details are provided about this purported HUMINT.

40. Defendants—in another post—do state that they have reported the matter to the FBI and CIA (who are actually part of the legitimate intelligence community), stating:

“both the Russian GRU and Russian SVR (intelligence services) view Firer, and his company, Net Element, as valued clandestine operational intelligence assets . . . **The FBI, CIA, SEC and Treasury Department have all been alerted to Net Element’s practices by Tactical Rabbit.**”

See <https://everettstern.substack.com/p/oleg-firer-and-russian-intelligence?s=r> (emphasis added).

41. The FBI and CIA (i.e., the real authorities) appear not to agree with Defendants’ assessment that “Firer is a spy” given that (a) Firer has not been charged with espionage (or any other crime for that matter); (b) Firer is not on any United States sanctions list; (c) Firer is still a U.S. citizen; (c) Firer’s family (including wife and two daughters) still reside in the United States; (d) Firer has not been advised by anyone from the U.S. government that he is considered a Russian spy.

42. Moreover, in 2021, Firer, in accordance with the Freedom of Information Act/Privacy Act (FOIA/PA), requested from U.S. Department of Homeland Security any and all information about any and all investigations of Firer. The response revealed that there are no investigation of Firer.

43. Thus, it appears that—as far as U.S. government is concerned—Firer is not under investigation and similarly (contrary to Defendants irresponsible assertions otherwise) is not a Russian spy.

44. Firer, to that end, has denied and continues to vehemently deny such allegations through—among other outlets—his personal website (detailed below):

Recently, Everett Stern, U.S. Senate candidate from Pennsylvania and the founder of purported “Private Intelligence Agency” published an article report defaming and groundlessly accusing Ambassador of Grenada, Oleg Firer with heavily biased contentions that are not based on facts and are merely a point of Mr. Stern’s wild imagination. The article entitled “Oleg Firer & Russian Intelligence” and the e-book published on Amazon.com entitled “Russian Spies on NASDAQ” are ideologically biased and full of smearing, defaming and groundless accusations against Mr. Firer.

This heavily jaundiced article that ignores all fact checking is a long way from the standard of professional ethics expected of a US Senate candidate and smack of political prejudice. Mr. Firer expresses strong condemnation and opposition against this article and disputes every allegation stated in the reported article and the e-book. In order to refute its wrongful ideas and contents, Mr. Firer intends to vigorously defend his character and pursue all legal remedies available to him against Mr. Stern and his purported “Private Intelligence Agency — Tactical Rabbit”.

See <https://medium.com/@ofirer/official-statement-from-oleg-firer-concerning-false-allegations-presented-by-us-senate-candidate-ef2cb2ccc330>.

E. DEFENDANTS MAY HAVE FINANCIAL AND POLITICAL INCENTIVES TO DEFAME FIRER

45. At first, Firer was unclear why Stern—a man he has never met and did not know before the defamatory publications—and Stern’s company would go through such great lengths to make these false “Russian spy” allegation against him.

46. However, some brief investigation revealed that the motivations behind the unfounded attacks may be both financial and political.

47. As to the financial motive, it is possible that Stern and Tactical Rabbit are being paid to **publicly** defame Firer.

48. A lawsuit by a former client against Stern and Tactical Rabbit lends credence to this possibility. In that lawsuit, the former client contended that Defendants (as part of their sales pitch and scope of employment) promised to “tak[e] [the client’s] matter public,” as detailed in the below Court order:

I. BACKGROUND

The New Jersey Legislature passed the Anti-Bullying Bill of Rights Act, commonly referred to as the Harassment, Intimidation, and Bullying (HIB) law, to ensure “a safe and civil environment in school.”³ Plaintiff’s son was accused of an HIB violation at school.⁴ Seeking to

contest the violation and clear her son's name, Plaintiff hired Defendants to represent and advocate for her son in the HIB process.⁵

Plaintiff alleges that Defendants guaranteed they would successfully advocate on behalf of Plaintiff and her son.⁶ That advocacy was to include writing a letter to the school board to appeal the violation and, if necessary, “tak[ing] the matter public.”⁷ The parties agreed that Defendants would provide nine services, including preparing an “[a]ppeal [l]etter.”⁸ Defendants sent Plaintiff an itemized list of the agreed-upon services,⁹ for which Plaintiff paid Defendants \$8,000.¹⁰

See Memorandum Opinion, *Udodi v. Everett Stern and Tactical Rabbit, Inc.*, Case No. 2:19-cv-02409, D.E. #14. This Order makes clear that Defendants—as part of their paid services—offer to “**take the matter public.**”

49. Thus, again, it is entirely possible that an individual or entity with a vendetta against Firer has hired Defendants to pursue an investigation into Firer, lambast him and otherwise “take the matter public,” by publicly posting the Russian spy contentions and otherwise circulating these allegations through WhatsApp and other messaging platforms. Hence, Defendants’ impetus and motivation may be as simple as **they are being paid to undertake this defamation campaign against Firer.** If so, this fact will be revealed in discovery.

50. There may also be a political angle to the attacks. Stern, who—as noted—is running for the U.S. Senate likely believes that his public pursuit of the “Russian spy” contentions against Firer may benefit his campaign. Namely, given the anti-Russian sentiment following Russia’s unlawful invasion of Ukraine (which invasion, again, Firer and his government condone), it makes sense that a would-be politician like Stern would attempt to capitalize on this populist sentiment to garner votes.

51. Regardless of the underlying motivation, the fact remains that there is no basis in fact for the defamatory statements and Defendants should be punished for their reckless and harmful acts.

F. THE DEFAMATORY POSTS HAVE DONE REAL HARM TO FIRER

52. Defendants' internet onslaught against Firer and dissemination of the link over WhatsApp and other messaging platforms has caused real professional and personal damage to Firer. There are multiple concrete examples of such damage. Below is just a small list of such concrete harm:

- Firer has received calls from Grenadian government officials concerning the defamatory allegations appearing in posts and messages;
- Firer's integrity is being questioned by the ministry of foreign affairs of Grenada;
- Firer has received at least fifty calls from acquaintances and individuals whom—after reading the posts—have questioned his allegiances to the United States;
- Firer has received multiple comments and posts in social media;
- Firer's Miami business partner has expressed concerns over the allegations; and
- Firer's wife has received numerous threats stemming from the defamatory posts.

53. Defendants' actions—which are upending Firer's life—need to be stopped.

54. All conditions precedent to the filing of this action have been satisfied or waived.

COUNT I
(Defamation)

55. Plaintiff re-alleges and incorporates by reference the allegations contained in paragraphs 1 through 54.

56. The Defendants have made, and continue to make, false statements regarding—among other things—Firer being a Russian spy.

57. Defendants, at all times, knew of the falsity of these statements and continue to make them.

58. Defendants' actions exceed being merely knowing or reckless acts, but are clearly deliberate, even wanton acts.

59. At no time while making any false statements has any privilege (qualified or unqualified) been available to Defendants, and therefore the Defendants' publication to third parties is unprivileged.

60. The Defendant's statements have caused Firer significant damage and otherwise affected Firer's relationship with his government, business partners and acquaintances.

WHEREFORE, Plaintiff, Oleg Firer, respectfully demands a judgment in his favor and against Defendants Everett Stern and Tactical Rabbit, Inc. (1) for damages in an amount to be proven at trial, together with interest and costs; (2) preliminarily and permanently enjoining the Defendants from further defaming Firer and otherwise interfering with Firer's business and personal relationships, and (3) awarding any other and further relief that this Court deems fair and just.

COUNT II
(Tortious Interference with Business Relationships)

61. Plaintiff re-alleges and incorporates by reference the allegations contained in paragraphs 1 through 54.

62. Defendants, at all relevant times, were aware and had knowledge of the business and governmental relationships that Firer has and is developing.

63. Defendants have intentionally and maliciously attempted to interfere with these relationships.

64. This wrongful conduct has caused irreparable harm to Firer's reputation and the goodwill and standing he has developed and has harmed established relationships with—among others—business and governmental partners.

WHEREFORE, Plaintiff, Oleg Firer, respectfully demands a judgment in its favor and against Defendants Everett Stern and Tactical Rabbit, Inc. (1) for damages in an amount to be proven at trial, together with interest and costs; (2) preliminarily and permanently enjoining the Defendant from interfering with Firer's business relationships; and (3) awarding any other and further relief that this Court deems fair and just.

Demand for Jury Trial

Plaintiff demands trial by jury of all claims so triable.

Reservation for Punitive Damages

Plaintiff reserves the right to add a claim for punitive damages upon a proper showing pursuant to Fla. Stat.

Dated this 1st day of April 2022.

Respectfully submitted,

ARMSTRONG TEASDALE LLP
3250 Mary Street, Suite 102
Coconut Grove, Florida 33133
Telephone: (305) 371-8809
Telecopier: (305) 448-4155

By: /s/Michael A. Sayre

Glen H. Waldman, Esq.

Fla. Bar No. 618624

gwaldman@atllp.com

Michael A. Sayre

Fla. Bar No. 17607

msayre@atllp.com

miamiefiling@atllp.com

VERIFICATION

Under penalty of perjury, the undersigned, Oleg Firer, declares that he has read the foregoing Complaint and that the facts set forth herein are true and correct to the best of his knowledge and belief.

By:


OLEG FIRER