



Monroe County Clerk - Court Records Search

24-CA-000245-K : ANDREW KOMISKE vs TROPICAL BAY PROPERTY OWNERS ASSOCIATION, INC.

Case Type:	Other - Matters not falling within the other Civil Subcatego	Date Filed:	3/12/2024
Location:	Circuit Civil Key West	UCN:	442024CA000245A001K
Judge:	Timothy J Koenig	Status:	APPELLATE ACTION
Citation Number:	Other - Matters not falling within the other Civil Subcatego	Appear By Date:	

Parties

Name	Type	Attorney	Atty Phone
ANDREW J KOMISKE	PLAINTIFF	Mark Wagner	239-337-1147
TROPICAL BAY PROPERTY OWNERS ASSOCIATION, INC.	DEFENDANT	Patrick Zalman	305-741-7735

Charge Details

Offense Date	Charge	Plea	Arrest	Disposition	Sentence
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Docket Events

Date	Description	Pages
9/4/2025	Appeal Record Sent To Third District Court	1
9/4/2025	Appeal Preparation Statement Of Costs	1
	Comments: Balance Due: \$241.50	
9/4/2025	Appeal Index Prepared	4
9/4/2025	Certificate *	1
	Comments: Appeal Clerk's Certificate	
8/5/2025	Notice Of Filing *	44
	Comments: HEARING TRANSCRIPT FROM MAY 30 2025, HEARING (e)	
8/4/2025	Claim Amount at Disposition	
8/4/2025	Amended Notice of Appeal	4
	Comments: (e)	
8/4/2025	Case Summary Information	6
8/4/2025	Acknowledgement Of New Case From Third District Court Of App	2
	Comments: 3D25-1494	
8/4/2025	Final Judgment	3
	Comments: (jv)sm	
8/1/2025	Notice of Appeal to 3rd DCA	5
	Comments: (E)	
7/3/2025	Order *	4
	Comments: Partially Granting Defendant's Cross Motion for Summary Judgment (jv)sm	
5/30/2025	Court Minutes	2

Date	Description	Pages
5/30/2025	Notice Of Filing *	33
	Comments: Supplemental Authority (e)	
5/30/2025	HEARING - CA - Hearing - Koenig, Timothy J	
5/29/2025	Reply	5
	Comments: to Plaintiff's Response in Opposition to Cross Motion for Summary Judgment (e)	
5/9/2025	Response to Motion	9
	Comments: for Summary Judgment (e)	
5/2/2025	HEARING - CA - Hearing - Koenig, Timothy J	
4/15/2025	Amended Notice of Hearing	2
	Comments: May 30, 2025 @ 10:00 a.m. (e)	
4/9/2025	Notice Of Hearing	2
	Comments: 5/2/2025@3p.m. via zoom (e)	
3/25/2025	Order Denying *	2
	Comments: Plaintiff's Motion for Summary Judgment (jv)sm	
3/19/2025	Supplemental *	15
	Comments: Plaintiff's - Brief in Support of Motion for Summary Judgment (e)	
3/19/2025	Supplemental *	8
	Comments: Defendant's - Brief in Opposition to Plaintiff's Motion for Summary Judgment on Count I of Plaintiff's Complaint, and Defendant's Affirmative Defenses, or in the Alternative, Adjudication of Facts not at Issue (e)	
3/12/2025	Notice Of Filing *	93
	Comments: Hearing Transcript from February 26, 2025, Hearing (e)	
2/26/2025	Court Minutes	2
2/26/2025	Notice Of Filing *	12
	Comments: Second Supplemental Authority (e)	
2/26/2025	HEARING - CA - Hearing - Koenig, Timothy J	
2/25/2025	Notice Of Filing *	69
	Comments: Supplemental Authority (e)	
2/25/2025	Response to Request for Production	3
	Comments: (e)	
2/24/2025	Notice of Cancellation of Deposition	1
2/24/2025	Notice of Cancellation of Deposition	1
2/24/2025	Notice of Cancellation of Deposition	1
2/21/2025	Notice Of Filing *	10
	Comments: Supplemental Authority (e)	
2/21/2025	Amended Notice of Hearing	2
	Comments: 2/26/2025@1p.m. via zoom (e)	
2/21/2025	Reply	4
	Comments: to Defendant's Response in Opposition to Motion for Summary Judgment (e)	
2/19/2025	Notice of Cancellation of Deposition	1
	Comments: (e)	
2/17/2025	Notice of Cancellation of Deposition	2
	Comments: Andrew Komiske [E]	
2/14/2025	Notice *	8
	Comments: of Filing Affidavit of William G. Boles (e)	
2/14/2025	Notice *	4

Date	Description	Pages
	Comments: of filing Affidavit of William G, Boles (e)	
2/14/2025	Response *	19
	Comments: in Opposition to Motion for Protective Order (e)	
1/24/2025	Mediation Report	1
	Comments: (e)	
1/17/2025	Motion For Protective Order	78
	Comments: Second Motion* (e)	
1/15/2025	Notice Of Taking Deposition *	2
	Comments: Andrew Komiske 2/21/2025@10a.m. via zoom (e)	
1/15/2025	Notice Of Taking Deposition *	3
	Comments: 2/27/2025@10a.m. (e)	
1/15/2025	Notice Of Taking Deposition *	3
	Comments: 2/25/2025@10a.m. via zoom (e)	
1/15/2025	Notice Of Taking Deposition *	3
	Comments: 2/27/2025@12p.m. via zoom (e)	
1/15/2025	Notice Of Taking Deposition *	2
	Comments: Paul rogers 2/9/2025@10a.m. via zoom (e)	
1/10/2025	Amended Witness List	2
	Comments: Plaintiff's (e)	
1/2/2025	Order *	3
	Comments: Agreed Order on Dfnt's First Request for Judicial Notice (jv) (RH)	
12/30/2024	Notice Of Hearing	2
	Comments: 2/26/25 @ 1:30 pm	
12/30/2024	Notice Of Mediation Conference	2
	Comments: Berk Edwards 1/24/2025@10a.m. via zoom (e)	
11/20/2024	Response to Motion	126
	Comments: Dfnt's Response to Pltf's Mtn for SJ of Count I of Pltf's Complaint and Dfnt's Affirmative Defenses, or in the Alternative, Adjudication of Facts not at Issue and Cross Mtn for SJ	
11/12/2024	Request *	95
	Comments: for Judicial Notice (e)	
10/29/2024	Order *	2
	Comments: ORDER ON MOTION FOR ZOOM HEARING [JV] - CM	
10/28/2024	Request for Hearing	3
	Comments: Motion to Allow Zoom Hearing	
10/11/2024	Notice Of Unavailability *	2
	Comments: Defendant's (e)	
10/2/2024	Motion For Summary Judgment	30
	Comments: on Count I of the Plaintiff's Complaint and Defendant's Affirmative Defenses, or in the Alternative, Adjudication of Facts Not at Issue (e)	
9/6/2024	Answer And Affirmative Defenses	83
	Comments: Defendant's - to Amended Complaint (e)	
9/5/2024	HEARING - CANCELED-Other CA - Hearing - Koenig, Timothy J	
8/30/2024	Order Granting *	2
	Comments: Request for Judicial Notice Dated Augus 29th, 2024 (jv) (bb)	

Date	Description	Pages
8/29/2024	Notice of Cancellation of Hearing Comments: (e)	1
8/29/2024	Request * Comments: Amended for Judicial Notice (e)	94
8/20/2024	Order * Comments: Agreed Granting Plaintiff's Amended Motion for Leave to File Amended Complaint (jv)sm	2
8/16/2024	Amended Motion * Comments: Pltf's Amended Mtn for Leave to File Amended Complaint	35
8/1/2024	Notice Of Hearing Comments: (e)	2
7/18/2024	Motion for Leave Comments: to File Amended Complaint (e)	35
7/10/2024	Witness List Plaintiff	2
7/10/2024	Exhibit List Plaintiff	2
7/9/2024	Witness and Exhibit List Comments: Dfnt's	5
6/12/2024	Answer And Affirmative Defenses Comments: Defendant's (e)	83
6/11/2024	Notice Of Unavailability * Comments: (e)	2
6/6/2024	Motion For Extension Of Time Comments: to Respond to Plaintiff's Complaint (e)	3
6/5/2024	Request * Comments: for Judicial Notice (e)	83
5/24/2024	Order * Comments: on Motion to Dismiss and Motion for Protective Order (jv) (bb)	2
5/21/2024	Court Minutes	2
5/21/2024	HEARING - CA - Hearing - Koenig, Timothy J	
5/20/2024	Response to Motion Comments: Plaintiffs Amended Response in Opposition to Defendants Motion to Dismiss (e)	4
5/20/2024	Notice * Comments: of Withdrawal of Plaintiffs Motion for Leave to File Amended Complaint (e)	1
5/20/2024	Order * Comments: ORDER GRANTING MOTION TO APPEAR VIA ZOOM [JV] - CM	1
5/17/2024	Motion for Leave Comments: PLAINTIFFS MOTION FOR LEAVE TO FILE AMENDED COMPLAINT [E]	23
5/17/2024	Response to Motion Comments: PLAINTIFFS RESPONSE IN OPPOSITION TO DEFENDANTS MOTION TO DISMISS [E]	4
5/17/2024	Response to Motion Comments: RESPONSE IN OPPOSITION TO MOTION FOR PROTECTIVE ORDER [E]	2
5/14/2024	Motion to Appear Telephonically Comments: (e)	1
5/14/2024	Notice Of Hearing Comments: 5/21/2024@11a.m. (e)	2

Date	Description	Pages
5/10/2024	Response to Request for Admissions Comments: (e)	3
5/10/2024	Stipulation * Comments: TO STAY PROCEEDINGS (e)	2
4/15/2024	Return of Service Served Comments: Tropical Bay Property Owners Association 3/26/2024(e)	3
4/12/2024	Motion For Protective Order Comments: from Plaintiff's Discovery Pending Court Determination of Defendant's Dispositive Motion to Dismiss Plaintiff's Complaint (e)	27
4/12/2024	Motion To Dismiss * Comments: for Failure to State a cause of Action, or Alternatively, Defendant's Motion to Dismiss Because there is No Bona Fide Present Need for the Declaration (e)	21
3/26/2024	Order * Comments: Preliminary Streamlined civil Case Management/ Scheduling Order (jv)sm	4
3/15/2024	Signed Summons Comments: Tropical Bay Property Owners Association, inc (e)	2
3/14/2024	Claim Amount at Filing \$50,001 - \$75,000	
3/12/2024	Request For Admissions Comments: (e)	2
3/12/2024	Request To Produce Comments: (e)	4
3/12/2024	Summons Submitted for Issuance Comments: Tropical Bay Property Owners Association, Inc. (e)	2
3/12/2024	Complaint Comments: (e)	12
3/12/2024	Civil Cover Sheet Comments: (e)	3
3/12/2024	Complaint	

Hearings

Date	Hearing	Time	Location	Pages
5/30/2025	CA - Hearing - Koenig, Timothy J	10:00 AM		
5/2/2025	CA - Hearing - Koenig, Timothy J	3:00 PM		
2/26/2025	CA - Hearing - Koenig, Timothy J	1:30 PM		
9/5/2024	CANCELED-Other CA - Hearing - Koenig, Timothy J	1:30 PM		
5/21/2024	CA - Hearing - Koenig, Timothy J	11:00 AM		

Financial

Date	Description	Payer	Amount
3/12/2024	Transaction Assessment		410.00
3/12/2024	Payment	Kevin F. Jursinski	-410.00
8/1/2025	Transaction Assessment		100.00
8/1/2025	Payment	Kara Jursinski Murphy	-100.00
9/4/2025	Transaction Assessment		241.50
9/12/2025	Payment	KOMISKE, ANDREW J	-241.50

Date	Description	Payer	Amount
<u>Balance Due:</u>			0.00

Bonds			
Description	Status Date	Bond Status	Amount

Warrants						
Number	Status Description	Issue Date	Service Date	Recall Date	Expiration Date	Warrant Type