

IN THE CIRCUIT COURT OF THE  
11<sup>TH</sup> JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA

HEAFEY BENTLEY MANAGEMENT, LLC  
A Florida Limited Liability Company,  
GINO FALSETTO and PIERRE HEAFEY  
Plaintiffs

CASE NO. 07-11842 CA 20

vs.

HEINZ DINTER and CYNTHIA LYNN  
Defendants

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**HEINZ DINTER’S RESPONSE TO AND EXPRESSION OF GRATITUDE FOR  
THE ORDER DENYING PLAINTIFF’S MOTION FOR ISSUANCE OF A WRIT  
OF BODILY ATTACHMENT, FOR CONTEMPT OF COURT AND IMPOSITION  
OF SANCTIONS AND FOR ENTRY OF A FINAL JUDGMENT FOR DAMAGES  
AND INJUNCTION**

Defendant Heinz Dinter (“Dinter”), *pro se*, hereby responds to and expresses his gratitude for the Order Denying Plaintiff’s Motion for Issuance of a Writ of Bodily Attachment, for Contempt of Court and Imposition of Sanctions and for Entry of a Final Judgment for Damages and Injunction, and states as follows:

Heinz Dinter became personally acquainted with Pierre Heafey and Gino Falsetto more than 20 years ago when his investigative journalism on behalf of the unit owners and tenants of The Grand condominium in Miami resulted in the article, “The Developer Is Your Lord and Master,” published in the November/December 1992 issue of Grand Lifestyle magazine serving The Grand community.

Subsequent investigation by the FBI concluded on December 17, 1998 with the guilty plea for mortgage fraud and payment of an \$800,000 fine sentenced by The Honorable Joan A. Lenard, U.S. District Judge, in United States of America v. 727870 Ontario, Inc., Case 98-639-CR-LENARD, in the United States District Court, Southern District of Florida in Miami.

Pierre Heafey orchestrated six (6) lawsuits against Dinter (primarily for defamation and injunctive relief) in all of which Dinter was not adjudicated of having libeled or slandered Pierre Heafey, Gino Falsetto, or anyone else:

- (1) In 1993: Case No. 93-11817 CA 03;
- (2) In 1993: Case No. 93-25497 FC 45;
- (3) In 1994: Case No. 94-22543 CA 03;
- (4) In 1995: Case No. 95-04319 CA 04;
- (5) In 1995: Case No. 95-0802-CIV-MORENO;
- (6) In 2007: Case No. 07-11842 CA 20.

When in 2008 the Court found no defamation in the latest 2007 case, the Plaintiffs offered to dismiss the case with prejudice and the payment of money if Dinter agrees to stop publishing about the Plaintiffs' activities. Dinter welcomed the offer because he sought a life filled with peace of mind and agreed; the agreement was executed; Dinter removed all Plaintiff-related content from his websites; and published nothing further about Plaintiffs' business activities. But peace lasted only one year.

When the unit owners of the Bentley Hotel on South Beach in Miami Beach asked Dinter to deliver a list of grievances to Gino Falsetto, president of the Pierre Heafey-controlled condo hotel's condominium association, Dinter agreed, delivered the 68-page compilation along with an offer to assist in the conflict resolution, and the assurance that no one else would see this private communication (Exhibit "A").

Pierre Heafey's Heafey Bentley Management LLC controlled the operation of the hotel and Nathalie Heafey, Pierre's daughter was general manager.

Pierre Heafey and Gino Falsetto responded by accusing Dinter of violating the 2008 agreement with a motion for contempt of court.

The subject of the Plaintiffs' motion for contempt of court was the 68-page white paper consisting exclusively of written communication (emails and notes) from unit owners of the Bentley condominium hotel which Veronica Blake (a unit owner) had compiled and had asked Dinter to transmit to Gino Falsetto for the sole and exclusive purpose of bringing conditions at the hotel and the unit owners' complaints to the attention of Gino Falsetto and Pierre Heafey.

Dinter's act of emailing the 68-page document as a **private** communication from Heinz Dinter to Pierre Heafey and Gino Falsetto on behalf of the Bentley's unit owners — and most significantly — was not published as defined in paragraph 8 of the March 7, 2013 Order and in the Seventh Edition of Black's Law Dictionary, to wit: "publish, vb. 1. To distribute copies (of a work) to the public. 2. To communicate (defamatory words) to someone other than the person defamed."

The Plaintiffs chose to accuse Dinter of agreement violation and, using lies and misrepresentations, secured a contempt of court order.

Dinter mustered his defense against these false charges by exposing the false charges and demonstrating the motives for the Plaintiffs' actions.

Dinter presented his defensive actions in the public forums of the Court and on the Internet.

Following several more contempt of court motions, corresponding court orders, and Dinter's vehement objections — supported by stellar evidence — the Plaintiffs filed their last (sixth!) error-riddled, incomplete motion for contempt with the Court on November 11, 2013 and set the hearing for December 2, 2013 over Dinter's objection that the motion was incomplete and

Dinter has a medical appointment in conflict with the hearing. The motion's defect manifests itself in the fact that the exhibits cited consist of 139 pages of barely readable material of unverified sources and was untimely submitted to Dinter on November 22, 2013. The Plaintiffs' attorney did not reschedule the hearing; the hearing took place; and Dinter did not attend.

**WHEREFORE**, pursuant to the foregoing, and in repetition to the request made in Dinter's Response and Objection to the Order [of March 7, 2013] Finding Defendant Heinz Dinter in Contempt of Court and Imposing Sanctions Against Heinz Dinter of One Thousand Dollars served on March 11, 2013, Heinz Dinter respectfully requests the Court to vacate the order of March 7, 2013.

**NOTICE OF PRO SE LITIGATION**

PLEASE TAKE NOTICE that the Defendant, Heinz Dinter, is not a lawyer formally trained in an accredited law school and is proceeding *pro se* in this cause; therefore, the contents herein should be liberally construed; Haines v. Kerner, 404 U.S. 519, 92 S. CT. 594, 30 L Ed 2d, 652 (1972). Additionally, a *pro se's* pleadings should be held to a less stringent standard than pleadings drafted by attorneys; Byrd v. Stewart, 811 F 2d, 554 (11th Cir. 1987).

Respectfully submitted,



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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Dinter's Response to and Expression of Gratitude for the Order Denying Plaintiff's Motion for Issuance of a Writ of Bodily Attachment, for Contempt of Court and Imposition of Sanctions and for Entry of a Final Judgment for Damages and Injunction was emailed this 5th day of December, 2013 to Jorge A. Garcia-Menocal, Esq. at [jgm@gmilaw.com](mailto:jgm@gmilaw.com), Dennis R. Bedard, Esq. at [DennisBedard@mac.com](mailto:DennisBedard@mac.com); Roger Schindler at [RSchindler@miami-law.net](mailto:RSchindler@miami-law.net); Jack Geckler, Esq., at [Geckler@bellsouth.net](mailto:Geckler@bellsouth.net); and Cynthia Lynn at [CKemplin@aol.com](mailto:CKemplin@aol.com); with a courtesy copy to The Honorable Ronald Dresnick.



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Heinz Dinter, PhD

# **The Bentley Hotel**

## **A White Paper**



**Presented To**  
**Heafey/Bentley Management, LLC**  
**The Bentley Condominium Association, Inc.**

**Exhibit "A" (2 pages)**

## Contact Information

### This White Paper Documents the Experiences of Ownership at The Bentley Hotel

**Veronica Blake is the owner of Room 319 at The Bentley Hotel, a condominium hotel.**

The Bentley Hotel is located at 500 Ocean Drive, Miami Beach, FL 33150.

**Veronica Blake**

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71 Castle Road, London NW, 8SU UK  
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[VEBlake@gmail.com](mailto:VEBlake@gmail.com)

### Additional Contacts

**Pierre Heafey**

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**Gino Falsetto**

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**Nathalie Heafey**

General Manager  
The Bentley Hotel  
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