

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
OCALA DIVISION**

CHASSIB KASSIM WAHAB,

Plaintiff,

Case No. 5:23-cv-659-TJC-PRL

v.

PATTERSON BELKNAP WEBB &  
TYLER, DAHILA B. DOUMAR, Co-  
Chair in Personal Capacity, JOHN  
D. WINTER, an individual, YILING  
LIVIA CHEN-JOSEPHSON, an  
individual, ESTEE LAUDER  
COMPANIES, INC., WILLIAM P.  
LAUDER, an individual and in his  
official capacity as Executive  
Chairman, FABRIZIO FREDA, an  
individual and in his official  
capacity as President and Chief  
Executive Officer, and JENNIFER  
LEPORE, an individual and in her  
official capacity as Director of  
Human Resources,

Defendants.

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**ORDER**

**THIS CASE** is before the Court on Defendants' Motion to Dismiss Amended Complaint and for Sanctions, Doc. 14, and Plaintiff's Letter to Judge Lammens, Doc. 39, which is treated as a Motion for Reconsideration of the Order denying Plaintiff's Motion for Entry of Default Final Judgment, Doc. 35.

Plaintiff started this litigation on November 6, 2023, but has had five previous lawsuits against some or all of these same defendants.<sup>1</sup> All five prior cases generally relate to the termination of his employment in 2012 or later legal proceedings related to the termination. Plaintiff's amended complaint, Doc. 12, has five counts: (1) Title VII, (2) ERISA, (3) wrongful discharge under New York law, (4) False Light/Invasion of Privacy, and (5) defamation per se.

Defendants' filed their motion to dismiss on December 18, 2023. Doc. 14. This Court's Order of March 11, 2024, noted Plaintiff's response was overdue, and directed Plaintiff to respond no later than April 1, 2024, or it would rule on the motion assuming it was unopposed. The Order directed Plaintiff to specifically respond to both the motion to dismiss and the request for sanctions. Plaintiff has not responded to either.

In addition, Plaintiff's claims are time barred and/or have been previously litigated in New York, are barred by res judicata or collateral estoppel, and should not be allowed to proceed here. Accordingly, the Court will grant the motion to dismiss with prejudice.

Plaintiff filed a Motion for Entry of Default Final Judgment on May 22, 2024, and incorrectly stated Defendants had not taken action to defend this action, when in fact Defendants had timely filed their motion to dismiss and

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<sup>1</sup> All five were either in federal or state courts in New York. See Doc. 15-24.

Plaintiff had not responded, even after the Court's directive. Doc. 35. Judge Lammens denied the motion for default judgment. Doc. 36.

Plaintiff then filed a letter to Judge Lammens, on June 10, 2024, whose purpose is not entirely clear. Doc. 39. To the extent the letter disagrees with Judge Lammens' order denying the motion for default judgment, it is treated as a Motion for Reconsideration. Because there is no basis to grant a default judgment, any such motion for reconsideration is denied.

The letter specifically requested four filings, Docs. 10, 15, 21 and 24<sup>2</sup>, be deleted from the court's docket. Plaintiff does not specify why the items should be removed and there is no apparent basis to do so. The request to delete the specified items from the docket is denied.

Accordingly, it is hereby

**ORDERED:**

1. Defendants' Motion to Dismiss Amended Complaint, Doc. 14, is **GRANTED**. The Amended Complaint is dismissed with prejudice. The Court will not award sanctions or issue an injunction, but warns Plaintiff any further effort to litigate this case will almost

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<sup>2</sup> Doc. 10 contains the exhibits in support of Defendants' motion to dismiss the complaint. Doc. 15 is essentially the same as Doc. 10 and contains the exhibits in support of Defendants' motion to dismiss the amended complaint. Docs. 21 and 24 both provide information regarding Defendants' efforts to confer with Plaintiff as required by Local Rules.

certainly result in sanctions and an injunction barring future actions.

2. Plaintiff's Motion for Miscellaneous Relief, Doc. 39, is **Denied**.
3. The Clerk is directed to close the file.

**DONE AND ORDERED** in Jacksonville, Florida the 9th day of July, 2024.



*Timothy J. Corrigan*  
TIMOTHY J. CORRIGAN  
United States District Judge

ddw  
Copies:

Counsel of record