

Secret DNA collection latest chapter in Palm Beach condo dispute

NEWS

By Daphne Duret - Palm Beach Post Staff Writer

Updated: 5:09 p.m. Saturday, July 23, 2016 | Posted: 2:58 p.m. Friday, July 22, 2016

On a weekday in February 2013, Marvel Entertainment executive Ike Perlmutter and his wife, Laura, arrived at a law office to answer questions related to a legal dispute with one of their neighbors in the million-dollar Palm Beach condo community Sloan's Curve.

The attorneys offered them bottled water to drink, asked them to thumb through documents — both seemingly perfunctory tasks litigants in civil cases perform daily.

What the Perlmutter didn't know then, but would soon find out in a series of events that unfolded like the pages of a graphic novel that could only be set in Palm Beach, was that every item they touched had been treated with a special solution designed to extract their DNA.

Their neighbor, Harold Peerenboom, sent the items off for testing and, according to court records, found a lab that purported to find genetic evidence linking the couple to a vicious letter-writing campaign accusing him of child molestation and double murder.

Now, in the latest act of the drama whose villain could be left for a Palm Beach County jury to decide, the billionaire comic book executive has filed his own lawsuit against Peerenboom, his lawyers and others he claims mounted an international conspiracy to illegally obtain the couple's DNA and defame them with false accusations.



Damon Higgins
SLOAN'S CURVE CONDOS AT 2100 S. OCEAN BLVD., PALM BEACH.

Famed attorney Roy Black, whose usual work includes fighting to keep such celebrities as Justin Bieber and such well-heeled clients as Wellington polo mogul John Goodman out of criminal trouble, has made a foray into civil court — first to defend Perlmutter and more recently to file a counterclaim on his behalf.

“Although Peerenboom purports to have provided even-handed and unbiased assistance to law enforcement officials in connection with their efforts to identify the culprit responsible for the alleged letter-writing campaign, Peerenboom has betrayed the public trust for his own pecuniary gain,” Black wrote in the suit.

As of Friday, Peerenboom’s attorneys had yet to file a response in court but in an email called the accusations in the counterclaim “defamatory, mean-spirited” and meritless. Through the years, Peerenboom has made plenty of accusations of his own in the case that appears to have all started with a series of social snubs sparked by a disagreement about the direction of the condo community’s offering of tennis lessons.

Peerenboom, a Canadian businessman and political figure so well-connected that the nation’s prime minister was one of his bedside visitors when he had surgery years ago, found himself in the minority at Sloan’s Curve when he wanted to entertain the possibility of hiring a new director of the community’s tennis program.

Tennis pro Karen Donnelly had been in charge of the program since 1993, and Perlmutter and others wanted her to stay.

Tensions boiled over and resulted in at least three lawsuits dating to 2011. In January 2013, Peerenboom sued the Perlmutter, Donnelly and fellow Sloan’s Curve resident Stephen Raphael, saying that they brought a false lawsuit against him to ward off his efforts to change the program. He also claimed, among other things, that Laura Perlmutter “ostracized” Peerenboom’s wife “by excluding her from social events, including a long-standing social card game at a nearby country club.”

And then came the claims that someone — Perlmutter, Peerenboom said he believes — started a 1,300-plus letter campaign to friends, family, neighbors and colleagues, accusing the Canadian business executive of various criminal acts.

The letters claim that Peerenboom was a pedophile and that he was behind the murder of a couple in Hallandale Beach. There were also letters to prison inmates encouraging them to see Peerenboom on Palm Beach when they were released, court records allege.

In hopes of helping police solve these crimes, Peerenboom said, he enlisted the services of private investigators, including one from a DNA lab who Peerenboom said suggested collecting the Perlmutter's water bottles when they came in for depositions in another one of the lawsuits.

Peerenboom says he only found out shortly before the depositions that the investigator treated sheets of paper the couple would handle in their interview with a special material that would collect their genetic material.

They collected evidence from items the Perlmutter handled and sent it for testing. Experts at one of the labs reported that Laura Perlmutter's DNA was a "match" to one of the envelopes of the letters in the writing campaign, but to date have not produced the DNA analysis. Peerenboom's camp also reportedly destroyed all the original copies of the letters.

But the biggest problem? According to Florida law, it is a crime to obtain someone's DNA without their knowledge.

That issue is what brought the fight into Palm Beach Circuit Judge Meenu Sasser's courtroom this year, when Perlmutter's lawyers tried to compel the testimony of Peerenboom lawyer William Doublerley.

Perlmutter wanted Doublerley to answer questions about discussions he had with Peerenboom about the DNA collection, but Doublerley in a 2015 deposition asserted his fifth amendment right against self-incrimination, and Peerenboom said his now former attorney should be exempt from answering the question because of attorney-client privilege.

"A person who knows or believes he is committing a crime does not do what Harold Peerenboom did," his attorney Marc Kasowitz said in court records, adding simply: "If he had thought he was committing or planning to commit a crime, he would not have told police about it."

Peerenboom testified in the hearing that he only became aware of the state statute against DNA collection in April 2013, months after the depositions.

Sasser, in a ruling on the matter issued July 1, sided with Perlmutter. That means, that Doublerley has to answer questions about his conversation with Peerenboom that would otherwise be protected by attorney-client privilege. Her 22-page ruling was a scathing rebuke of Peerenboom, whose testimony at the hearing she found incredible.

Sasser, in her ruling, said Peerenboom admitted in his testimony that he has gone through the trash of other Sloane's Curve residents in attempts to obtain DNA evidence, but said it was his lawyer's idea to collect the DNA from the Perlmutter in the deposition.

“Most significantly, upon cross-examination, Peerenboom admitted to his involvement in the scheme to collect the Perlmutter’s DNA under false pretenses and further admitted that he had continued to knowingly violate the DNA statute after April 2013,” Sasser wrote.

No new deposition date has been set for Douberley. After the ruling, Black in an email called the ruling “a huge and decisive victory for the Perlmutter’s.”

“Further, there is no DNA match to either of the Perlmutter’s and Mr. Peerenboom, who the Court found not credible, knows it,” Black said.

Peerenboom’s attorneys in an email said they will move forward with the lawsuit, noting that Sasser’s ruling did not deal with the merits of the DNA evidence.

As for the countersuit, Kasowitz said it was full of “irrelevant allegations that dredge up previously debunked smear campaigns” — a reference to Peerenboom’s political fights in Canada, which Perlmutter claims in the lawsuit earned him the moniker “Scary Harry Perry” in Canadian newspapers.

Kasowitz said the comic book executive might have revealed more about himself than about Peerenboom with his latest filing.

“What is particularly noteworthy, however, about the ugly tone of this document — which the Perlmutter’s have evidently filed in order to harass and injure Mr. Peerenboom — is just how much it has in common with the anonymous hate mail campaign that is the subject of Mr. Peerenboom’s pending lawsuit against the Perlmutter’s,” Kasowitz said.