

IN THE CIRCUIT COURT IN AND
FOR THE 17TH JUDICIAL CIRCUIT OF
BROWARD COUNTY, FLORIDA

Case No. 12-028324 (07)

P & S ASSOCIATES GENERAL
PARTNERSHIP and S&P ASSOCIATES
GENERAL PARTNERSHIP,

Complex Litigation Unit

Plaintiff,

v.

ROBERTA P. ALVES, ET AL.

Defendants.

**RESPONSE BY DEFENDANTS ROBERT T. MAREMA, WHITNEY WILHIDE
MAREMA and DOROTHEA MAREMA to FOURTH AMENDED COMPLAINT FOR
INTERPLEADER AND DECLARATORY RELIEF**

COMES NOW, Defendants, Robert T. Marema, Whitney Wilhide Marema and Dorothea Marema and state as follows:

1. Defendants are partners in SPJ Investments, Ltd, which is a partner of S&P Partnership and are residents of the State of Florida.
2. Defendants understand that the Partnership Agreements specifically provide for Distribution to partners based upon the amount in their “capital accounts” which is the balance reflected on their last statements received from the Partnership.
3. Defendants are of the opinion that any distribution to be made by the Trustee, the specific terms of the original Partnership Agreement should control and should be specifically adhered to.
4. Defendants do not believe that it is either fair or equitable for the Trustee to make

Distributions that are solely based upon the net investment of the account holder over the life of the account, which would give no credit for the time value of money invested.

5. As to Paragraphs 467 through 522, Defendants have no specific knowledge regarding sale and demand specific proof thereof.

6. As to Paragraphs 523 through 532, Defendants have no opinion or knowledge as to these claims as they are not specifically relevant to Defendants.

7. As to Paragraphs 533 through 542, Defendants have no specific knowledge regarding same and demand specific proof thereof.

WHEREFORE, Defendants, Robert T. Marema, Whitney Wilhide Marema and Dorothea Marema respectfully ask this Court to enter an Order and/or Declaratory Ruling finding that the original Partnership Agreements should control as to any and all distributions to be made by the Trustee to the various partners.

I HEREBY CERTIFY that a true and correct copy of the foregoing was delivered by electronic mail on this 13th day of January to Thomas M. Messina, Esq., 401 East Las Olas Blvd., Suite 1400, Ft. Lauderdale, FL 33301.

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By:/Lawrence Caplan/
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