

IN THE CIRCUIT COURT OF THE 17<sup>TH</sup> JUDICIAL CIRCUIT OF FLORIDA,  
IN AND FOR BROWARD COUNTY  
CASE NO.: 12-034123 (07)

P&S ASSOCIATES, GENERAL  
PARTNERSHIP, etc., et al.,

Plaintiffs,

v.

MICHAEL D. SULLIVAN, et al.,

Defendants.

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**DEFENDANTS FRANK AVELLINO AND MICHAEL BIENES' JOINT  
MOTION FOR EXTENSION OF TIME TO RESPOND TO PLAINTIFF'S FIFTH  
AMENDED COMPLAINT**

Defendants, Frank Avellino and Michael Bienes, by and through their undersigned counsel, move this court for an order extending their time to respond to Plaintiff's Fifth Amended Complaint and as grounds therefor state:

1. On January 9, 2015, Plaintiffs filed the Fifth Amended Complaint, which asserts new and substantial factual allegations and claims for relief. Defendants' responses are due January 26, 2015.

2. Counsel for Defendants require additional time to prepare their responses to the new complaint up to and including February 9, 2015. Due to the workload of the undersigned attorneys and the intervening holiday, the additional time is required to complete their responses.

3. This request is made in good faith and not for the purpose of delay. Plaintiff will not be prejudiced by the short extension.

WHEREFORE, Defendants request that this court enter an order extending their time to respond to Plaintiff's Fifth Amended Complaint up to and including February 9, 2015.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 19th day of January, 2015, the foregoing document is being served on those on the attached service list by electronic service via the Florida Court E-Filing Portal in compliance with Fla. Admin Order No. 13-49.

**HAILE, SHAW & PFAFFENBERGER, P.A.**

*Attorneys for Defendant Frank Avellino*

660 U.S. Highway One, Third Floor

North Palm Beach, FL 33408

Phone: (561) 627-8100

Fax: (561) 622-7603

[gwoodfield@haileshaw.com](mailto:gwoodfield@haileshaw.com)

[bpetroni@haileshaw.com](mailto:bpetroni@haileshaw.com)

[eservices@haileshaw.com](mailto:eservices@haileshaw.com)

[syoffee@haileshaw.com](mailto:syoffee@haileshaw.com)

[cmarino@haileshaw.com](mailto:cmarino@haileshaw.com)

By:     /s/     Gary A. Woodfield

Gary A. Woodfield, Esq.

Florida Bar No. 563102

Susan Yoffee, Esq.

Florida Bar No. 511919

**BROAD AND CASSEL**

*Attorneys for Michael Bienes*

One Biscayne Tower, 21<sup>st</sup> Floor

2 South Biscayne Blvd.

Miami, FL 33131

Phone (305) 373-9400

Fax (305) 37309433

[mraymond@broadandcassel.com](mailto:mraymond@broadandcassel.com)

[jetra@broadandcassel.com](mailto:jetra@broadandcassel.com)

[smartin@broadandcassel.com](mailto:smartin@broadandcassel.com)

[ssmith@broadandcassel.com](mailto:ssmith@broadandcassel.com)

[msoza@broadandcassel.com](mailto:msoza@broadandcassel.com)

[manchez@broadandcassel.com](mailto:manchez@broadandcassel.com)

By:     /s/     Mark Raymond

Mark Raymond (373397)

Jonathan Etra (686905)

Shane P. Martin (056306)

SERVICE LIST

THOMAS M. MESSANA, ESQ.  
MESSANA, P.A.  
SUITE 1400, 401 E LAS OLAS BLVD  
FORT LAUDERDALE, FL 33301  
[tmessana@messana-law.com](mailto:tmessana@messana-law.com)  
*Attorneys for P & S Associates General Partnership*

LEONARD K. SAMUELS, ESQ.  
ETHAN MARK, ESQ.  
STEVEN D. WEBER, ESQ.  
BERGER SIGNERMAN  
350 E LAS OLAS BLVD, STE 1000  
FORT LAUDERDALE, FL 33301  
[emark@bergersingerman.com](mailto:emark@bergersingerman.com)  
[lsamuels@bergersingerman.com](mailto:lsamuels@bergersingerman.com)  
[sweber@bergersingerman.com](mailto:sweber@bergersingerman.com)  
*Attorneys for Plaintiff*

PETER G. HERMAN, ESQ.  
TRIPP SCOTT, P.A.  
15<sup>TH</sup> FLOOR  
110 SE 6<sup>TH</sup> ST  
FORT LAUDERDALE, FL 33301  
[pgh@trippscott.com](mailto:pgh@trippscott.com)  
[le@trippscott.com](mailto:le@trippscott.com)  
*Attorneys for Defendants Steven F. Jacob  
and Steven F. Jacob CPA & Associates, Inc.*