

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

Case No: 12-034121(07)
Complex Litigation Unit

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

Plaintiffs,

vs.

JANET A. HOOKER CHARITABLE TRUST,
et al.,

Defendants.

_____ /

**PLAINTIFFS RESPONSES AND OBJECTIONS TO DEFENDANTS
ABRAHAM NEWMAN, RITA NEWMAN AND GERTRUDE GORDON'S
SECOND REQUEST FOR ADMISSIONS TO THE PLAINTIFF**

Pursuant to Florida Rule of Civil Procedure 1.370, Plaintiffs, by and through their undersigned counsel, hereby respond and object to Defendants ABRAHAM NEWMAN, RITA NEWMAN and GERTRUDE GORDON's Second Request for Admissions from Plaintiffs.

RESPONSES AND OBJECTIONS

1. Admit that the attached Schedule K-1 Form 1065 from 2004 through 2012 accurately reflect the information contained therein.

Response: Denied.

2. Admit that the information contained in the attached K-1 Form 1065 from 2004 through 2012 accurately reflect the information reported to the United States Internal Revenue Service as they relate to the partners identified therein.

Response: Plaintiffs admit that the information contained in the attached K-1 Form 1065 from 2004 through 2009 reflect the information provided to the United States Internal Revenue Service as they relate to the partners identified therein, but deny that the information contained therein was accurate. However, Plaintiffs do not have possession, custody or control of any K-1 Form 1065 from 2010 through 2012 that was provided to the Internal Revenue Service, and to the extent that such documents exist, they are in the possession custody or control of third parties and/or Defendants and have not been produced to Plaintiffs.

3. Admit that no amendments, changes, modifications or corrections have been made to the K-1 Form 1065 attached hereto as Exhibit “A” by the Plaintiff, the Partnership or any persons acting for or on behalf of the Partnership.

Response: Plaintiffs do not have sufficient information to admit or deny that that no amendments, changes, modifications or corrections have been made to the K-1 Form 1065 attached hereto as Exhibit “A” by the Plaintiff, the Partnership or any persons acting for or on behalf of the Partnership, because Plaintiffs do not have possession custody or control of any amendments, and to the extent that such amendments may exist, they are currently being held by third parties, and or Defendants and have not been produced to Plaintiffs.

4. Admit that the attached Activity Report for 2008 accurately reflect the information contained therein.

Response: Denied.

5. Admit that the information contained in the attached Activity Report for 2008 accurately reflect the information reported to the United States Internal Revenue Service as they relate to the partners identified therein.

Response: Plaintiffs do not have sufficient information to admit or deny that the attached activity report accurately reflects the information reported to the United States Internal Revenue Service as they relate to the partners identified therein because Plaintiffs do not have possession custody or control of the documents submitted to the IRS. To the extent that such documents exist, they are currently being held by third parties, and/or Defendants and have not been produced to Plaintiffs.

6. Admit that no amendments, changes, modifications or corrections have been made to the Activity Report for 2008 attached hereto as Exhibit “B” by the Plaintiff, the Partnership or any persons acting for or on behalf of the Partnership.

Response: Plaintiffs object to request for admission number 6 because there was no “Exhibit B” attached to Defendants’ Request for Admission. Further, Plaintiff did not attach any “Exhibit B” to the instant request for admissions and therefore cannot admit or deny Request for Admission Number 6.

Dated: January 24, 2014

By: s/ Leonard K. Samuels _____

Leonard K. Samuels
Florida Bar No. 501610
Steven D. Weber
Florida Bar No. 47543
Attorneys for Plaintiffs
BERGER SINGERMAN LLP
350 East Las Olas Boulevard, Suite 1000
Fort Lauderdale, Florida 33301
Telephone: (954) 525-9900
Fax: (954) 523-2872
lsamuels@bergersingerman.com
sweber@bergersingerman.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served via Electronic Mail upon counsel identified below registered to receive electronic notifications and regular U.S. mail upon *Pro Se* parties this 24th day of January, 2014, upon the following:

Counsel	E-mail Address:
Ana Hesny, Esq.	ah@assoulineberlowe.com ; ena@assoulineberlowe.com
Eric N. Assouline, Esq.	ena@assoulineberlowe.com ; ah@assoulineberlowe.com
Annette M. Urena, Esq.	aurena@dkdr.com ; cmackey@dkdr.com ; service-amu@dkdr.com
Daniel W Matlow, Esq.	dmalow@danmatlow.com ; assistant@danmatlow.com
Debra D. Klingsberg, Esq.	dklingsberg@huntgross.com
Joanne Wilcomes, Esq.	jjwilcomes@mccarter.com
Etan Mark, Esq.	emark@bergersingerman.com ; drt@bergersingerman.com ; lyun@bergersingerman.com
Evan H Frederick, Esq.	efrederick@mccaberabin.com ; janet@mccaberabin.com ; beth@mccaberabin.com
B. Lieberman, Esq.	blieberman@messana-law.com
Jonathan Thomas Lieber, Esq.	jlieber@dobinlaw.com
Mariaelena Gayo-Guitian, Esq.	mguitian@gjb-law.com
Barry P. Gruher, Esq.	bgruher@gjb-law.com
William G. Salim, Jr., Esq.	wsalim@mmsslaw.com
Domenica Frasca, Esq.	dfrasca@mayersohnlaw.com ; service@mayersohnlaw.com
Joseph P. Klapholz, Esq.	jklap@klapholzpa.com ; dml@klapholzpa.com ;
Julian H Kreeger, Esq.	juliankreeger@gmail.com
L Andrew S Riccio, Esq.	ena@assoulineberlowe.com ; ah@assoulineberlowe.com
Leonard K. Samuels, Esq.	lsamuels@bergersingerman.com ; vleon@bergersingerman.com ; drt@bergersingerman.com
Marc S Dobin, Esq.	service@dobinlaw.com ; mdobin@dobinlaw.com ;
Michael C Foster, Esq.	mfoster@dkdr.com ; cmackey@dkdr.com ; kdominguez@dkdr.com
Richard T. Woulfe, Esq.	pleadings.RTW@bunnellwoulfe.com
Michael R. Casey, Esq.	mcasey666@gmail.com
Peter Herman, Esq.	PGH@trippscott.com
Robert J Hunt, Esq.	bohunt@huntgross.com ; sharon@huntgross.com ; eservice@huntgross.com

Counsel	E-mail Address:
Ryon M McCabe, Esq.	rmccabe@mccaberabin.com ; janet@mccaberabin.com ; beth@mccaberabin.com
Steven D. Weber, Esq.	sweber@bergersingerman.com ; lwebster@bergersingerman.com ; drt@bergersingerman.com
Thomas J. Goodwin, Esq.	tgoodwin@mccarter.com ; nwendt@mccarter.com ; jwilcomes@mccarter.com
Thomas L Abrams, Esq.	tabrams@tabramslaw.com ; fcolumbo@tabramslaw.com
Thomas M. Messana, Esq.	tmessana@messana-law.com ; tmessana@bellsouth.net ; mwslawfirm@gmail.com
Zachary P Hyman, Esq.	zhyman@bergersingerman.com ; DRT@bergersingerman.com ; clamb@bergersingerman.com

By: s/Leonard K. Samuels

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