

IN THE CIRCUIT COURT OF THE 17<sup>TH</sup> JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY, FLORIDA

CASE NO.: 12-034121 (07)  
Complex Litigation Unit

MARGARET J. SMITH as Managing General  
Partner of P&S Associates, GENERAL  
PARTNERSHIP, a Florida limited partnership,  
And S&P ASSOCIATES, GENERAL  
PARTNERSHIP, a Florida limited partnership;  
P&S ASSOCIATES, GENERAL PARTNERSHIP,  
A Florida limited partnership; and S&P  
ASSOCIATES, GENERAL PARTNERSHIP,  
A Florida limited partnership,  
Plaintiffs,

Vs

JANET A. HOOKER CHARITABLE TRUST, a  
Charitable trust, DIANE M. DEN BLEYKER, an  
Individual, ETTOH LTD., a Florida limited  
Partnership, et al.  
Defendants.

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MOTION FOR PROTECTIVE ORDER

COME NOW, the Defendants, ABRAHAM NEWMAN, RITA NEWMAN  
and GERTRUDE GORDON, by and through the undersigned counsel, and file this  
their Motion for Protective Order and would state further as follows:

1. The Plaintiff has noticed the depositions for the three (3) Defendants:

Rita Newman on March March 3<sup>rd</sup>, 2014

Abraham Newman on March 10, 2014

Gertrude Gordon on March March 11, 2014

in Broward County.

2. The Defendant, Abraham Newman, has been admitted to the hospital on January 14, 2014 at the Dr. P. Phillips Hospital in Orlando and is medically and physically unable to attend or appear at deposition. Initial documentation is attached from the administrator of Dr. P. Phillips Hospital.

3. That all three (3) defendants are not residents of Broward County, Florida and have not sought affirmative relief in the lawsuit presented.

4. That the Defendants, Rita Newman and Gertrude Gordon, are not required, pursuant to Florida law, to attend discovery depositions in Broward County, Florida in this matter.

5. That the Plaintiff has been apprised of the residency of the Defendants.

WHEREFORE, the Defendants, ABRAHAM NEWMAN, RITA NEWMAN and GERTRUDE GORDON, respectfully move this Honorable Court for an order of protection directing that the deposition of Abraham Newman not occur and that the depositions of Rita Newman and Gertrude Gordon be coordinated to take place in the Defendants' county of residence and that the dates be coordinated with counsel prior to the notice being issued together with such other and further relief as this Honorable Court may deem proper.

#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was SENT VIA E-MAIL to: SEE SERVICE LIST ATTACHED; this 28 day of January, 2014.

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By: \_\_\_\_\_

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**EXHIBIT "A"**



2400 Turkey Lake Rd.  
Orlando, FL 32819  
407.351.6500

drpphillipshospital.com

January 15, 2014

Re: Mr. Abraham Newman

To whom it may concern:

This letter is to confirm that Mr. Abraham Newman experienced a medical emergency and was admitted on January 14, 2014 as an inpatient at Dr. P. Phillips Hospital, a part of Orlando Health. Mr. Newman is currently under the care of Dr. Alex Conty, MD.

In light of this unexpected medical emergency, please extend Mr. Newman any and all courtesies available. Thank you.

Respectfully,

Denise M. Anderson  
Guest Services Assistant Manager

DMA: jj

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