

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

CASE NO: 12-34121(07)

Complex Litigation Unit

PHILIP J. VON KAHLE, as Conservator of
P&S ASSOCIATES, GENERAL PARTNERSHIP,
and P&S ASSOCIATES, GENERAL PARTNERSHIP,

Plaintiffs,

vs.

JANET A. HOOKER CHARITABLE TRUST, *et al*,

Defendants. _____/

**PLAINTIFFS' NOTICE OF TAKING DEPOSITION OF DEFENDANT
ROBERT A. UCHIN REVOCABLE TRUST**

TO: ALL PARTIES LISTED ON CERTIFICATE OF SERVICE

PLEASE TAKE NOTICE that the undersigned attorneys will take the deposition of:

Deponent	Date	Time
Robert A. Uchin Revocable Trust ¹	March 3, 2014	2:00 p.m.

at the office of **Berger Singerman LLP, located at 350 East Las Olas Boulevard, Suite 1000, Fort Lauderdale, Florida 33301**, upon oral examination before a Court Reporter, or other officer authorized by law to take depositions in the State of Florida. The deposition is being taken for the purpose of discovery, for use at trial, or for such other purposes as are permitted under the Rules of Court.

The deposition will continue from day to day until completed and will be recorded via

¹ You are commanded to designate one or more officers, directors, or managing agents, or other persons who consent to testify on your behalf, with respect to the matters set forth on Exhibit 'A', attached hereto

stenographic means.

Respectfully submitted,

BERGER SINGERMAN LLP
Attorneys for Plaintiffs
350 East Las Olas Blvd, Suite 1000
Fort Lauderdale, FL 33301
Telephone: (954) 525-9900
Facsimile: (954) 523-2872

By: s/Leonard K. Samuels
Leonard K. Samuels
Florida Bar No. 501610
lsamuels@bergersingerman.com
Etan Mark
Florida Bar No. 720852
emark@bergersingerman.com
Steven D. Weber
Florida Bar No. 47543
sweber@bergersingerman.com

cc: Friedman Lombardi & Olsen, Court Reporters

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 21st day of February, 2014 upon the following:

Notice has been electronically mailed to:

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
Robert J. Hunt, Esq.	bobhunt@huntgross.com
Joanne Wilcomes, Esq.	jwilcomes@mccarter.com
Evan Frederick, Esq.	efrederick@mccaberabin.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
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 ;

Counsel	E-mail Address:
Michael C Foster, Esq.	mfoster@dkdr.com ; cmackey@dkdr.com ; kdominguez@dkdr.com
Michael Casey, Esq.	mcasey666@gmail.com
Richard T. Woulfe, Esq.	pleadings.RTW@bunnellwoulfe.com
Michael R. Casey, Esq.	mcasey666@gmail.com
Brett Lieberman, Esq.	blieberman@messana-law.com
Marc Dobin, Esq.	service@dobinlaw.com
Peter Herman, Esq.	PGH@trippscott.com
Robert J Hunt, Esq.	bobhunt@huntgross.com ; sharon@huntgross.com ; eservice@huntgross.com
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
Leonard K. Samuels

NOTICE TO:
AMERICANS WITH DISABILITIES

This notice is provided pursuant to Administrative Order No. 2.207-9/12

“If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Germaine English, Americans with Disabilities Act Coordinator, Palm Beach County Courthouse, 205 North Dixie Highway West Palm Beach, Florida 33401; telephone number (561) 355-4380 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.”

“Si usted es una persona minusválida que necesita algún acomodamiento para poder participar en este procedimiento, usted tiene derecho, sin tener gastos propios, a que se le provea cierta ayuda. Tenga la amabilidad de ponerse en contacto con Germaine English, 205 N. Dixie Highway, West Palm Beach, Florida 33401; teléfono número (561) 355-4380, por lo menos 7 días antes de la cita fijada para su comparecencia en los tribunales, o inmediatamente después de recibir esta notificación si el tiempo antes de la comparecencia que se ha programado es menos de 7 días; si usted tiene discapacitación del oído o de la voz, llame al 711.”

“Si ou se yon moun ki enfim ki bezwen akomodasyon pou w ka patisipe nan pwosedè sa, ou kalifye san ou pa gen okenn lajan pou w peye, gen pwovizyon pou jwen kèk èd. Tanpri kontakte Germaine English, kòdonatè pwogram Lwa pou ameriken ki Enfim yo nan Tribinal Konte Palm Beach la ki nan 205 North Dixie Highway, West Palm Beach, Florida 33401; telefòn li se (561) 355-4380 nan 7 jou anvan dat ou gen randevou pou parèt nan tribinal la, oubyen imedyatman apre ou fin resevwa konvokasyon an si lè ou gen pou w parèt nan tribinal la mwens ke 7 jou; si ou gen pwoblèm pou w tande oubyen pale, rele 711.”

EXHIBIT A

I. DEFINITIONS:

A. “You”, “Your”, or “Defendant” as used herein means Defendant Robert A. Uchin Revocable Trust and includes any and all agents, employees, servants, officers, directors, attorneys and any other person or entity acting or purporting to act on its behalf.

B. “P&S” as used herein means Plaintiff P&S Associates, General Partnership, and includes any and all agents, employees, servants, officers, directors, attorneys and any other person or entity acting or purporting to act on its behalf.

C. The conjunctions “and” and “or” mean “and/or” so as to encompass the broader of the two possible constructions, not disjunctively so as to exclude any information.

II. TOPICS:

1. The relationship between You and P&S.
2. Any due diligence performed by You before investing in P&S.
3. The facts and/or circumstances that led to Your investment in P&S.
4. All payments, distributions, and/or transfers of funds between You and P&S.
5. The Demand Letters that You received in November 2012 and October 2013.
6. Communications between You and/or P&S; Michael D. Sullivan; Steven Jacob; Michael D. Sullivan & Associates, Inc., a Florida Corporation; Steven F. Jacob, CPA & Associates, Inc.; Frank Avellino; Michael Bienes; Kelco Foundation, Inc. a Florida Non Profit Corporation; Richard Wills; any other Partners in the Partnerships; and/or Vincent T. Kelly.
7. The factual allegations of the Amended Complaint in this action.
8. The factual allegations in Your Motion for Summary Judgment and Incorporated Memorandum of Law.
9. The facts and circumstances relating to any allegations that You have disassociated from

P&S.

10. Your responses to Plaintiffs' discovery requests;

11. The facts and circumstances concerning your allegations concerning the doctrine of *in pari delicto* and equitable estoppel.

5475404-1