

**IN THE CIRCUIT COURT OF THE
SEVENTEENTH JUDICIAL CIRCUIT,
IN AND FOR BROWARD COUNTY,
FLORIDA**

CASE NO.: 12-034121 (07)

Complex Litigation Unit

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

vs.

JANET A. HOOKER CHARITABLE TRUST,
et al.,

Defendants.

**THE CONSERVATOR'S MOTION TO EXTEND TIME TO
SERVE THE SUMMONS AND COMPLAINT**

Plaintiffs file this Motion to Extend Time to Serve the Summons and Complaint (the "Motion"), and in support thereof states as follows:

1. Under Fla. R. Civ. P. 1070(j), by Order Granting Conservator's Motion to Extend Time to Serve the Summons and Complaint dated November 4, 2013, this Court extended the deadline to serve process on (i) Diane M. Den Bleyker, (ii) John J. Crowley, (iii) Jonathan Crowley, (iv) Berry C. Smith, and (v) Catherine B. Smith to February 21, 2014.

2. The Conservator has taken considerable measures to determine the proper and updated information necessary to serve the over thirty Defendants in this action. Indeed, the Conservator has served all but four of the Defendants in this action.

3. With respect to each of the remaining four individuals, the Conservator's current efforts to serve them are as follows:

- a) Defendant Diane M. Den Bleyker – the Conservator has located multiple addresses and properties that appear to be owned by Ms. Den Bleyker. The Conservator has attempted service on Ms. Den Bleyker on multiple occasions, in different locations (including in different states), and she appears to be avoiding service in this action. The Conservator is currently attempting to serve Ms. Den Bleyker at an address in the state of Georgia but those efforts have been stymied due to snow in the Georgia mountains making the road impassable.
- b) Defendant Jonathan Crowley - the Conservator has identified multiple addresses for Mr. Crowley, has made multiple attempts to serve Mr. Crowley, and has been unable to do so.
- c) Defendant Berry Smith - appears to be deceased and the Conservator is no longer attempting service.
- d) Defendant Jonathan J. Crowley - appears to be deceased and the Conservator is no longer attempting service.

4. Although the Conservator is no longer attempting service on the Crowley and Smith defendants, the Conservator respectfully requests that the Court extend the deadline for timely service of the Summons and Complaint upon Defendant Diane M. Den Bleyker pursuant to Fla. R. Civ. P. 1070(j) to April 11, 2014. The Conservator has made diligent attempts to serve Ms. Den Bleyker, believes Ms. Den Bleyker is avoiding service, believes service on Ms. Den Bleyker is possible, and believes the requested extension of time should provide the Conservator with sufficient time to serve Ms. Den Bleyker.

WHEREFORE, the Conservator requests that the Court enter an Order extending the deadline to serve process upon Diane M. Den Bleyker until April 11, 2014, pursuant to Fla. R. Civ. P. 1070(j), and granting such other relief as the Court deems just and proper.

Dated: March 4, 2014

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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 4th day of March, 2014, upon the following:

Notice has been electronically mailed to:

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