

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

CASE NO. 12-034123 (07)

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

Plaintiffs,

vs.

MICHAEL D. SULLIVAN, et al.

Defendants.

DEFENDANT FRANK AVELLINO'S WITNESS AND EXHIBIT LIST

Defendant, Frank Avellino, pursuant to this Court's oral ruling on February 24, 2016, identifies the following witnesses and exhibits in connection with the hearing on Plaintiffs' Motion to Strike Pleadings, and in the Alternative Motion for Adverse Inference, presently scheduled for March 14, 2016:

I. Witnesses

1. Frank Avellino
2. Michael Bienes
3. Philip Von Kahle, as Conservator
4. Michael Sullivan

II. Exhibits

1. Order on Plaintiffs' Renewed Expedited Motion to Compel Defendants Frank Avellino and Michael Bienes to Produce Computers for Inspection and to Produce Documents, dated January 8, 2016.
2. Documents produced by Frank Avellino on November 16, 2015.

3. Documents produced by Frank Avellino on December 8, 2015.
4. Errata sheet filed by Frank Avellino on December 8, 2015.
5. Order on Plaintiffs' Expedited Motion to Compel Defendants Frank Avellino and Michael Bienes to Produce Computers for Inspection and to Produce Documents, dated November 16, 2015.
6. Defendant Frank Avellino's Notice of Filing Amended Report Regarding Emails, filed December 8, 2015.
7. Amended Privilege log filed by Frank Avellino on December 8, 2015.
8. Email communication between Michael Sullivan and Frank Avellino produced by Plaintiffs.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of March, 2016, 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 Avellino
660 U.S. Highway One, Third Floor
North Palm Beach, FL 33408
Phone: (561) 627-8100
Fax: (561) 622-7603
gwoodfield@haileshaw.com
bpetroni@haileshaw.com
eservices@haileshaw.com

By: /s/ Gary A. Woodfield
Gary A. Woodfield, Esq.
Florida Bar No. 563102

SERVICE LIST

THOMAS M. MESSANA, ESQ.
MESSANA, P.A.
SUITE 1400, 401 EAST LAS OLAS BOULEVARD
FORT LAUDERDALE, FL 33301
tmessana@messana-law.com
Attorneys for P & S Associates General Partnership

LEONARD K. SAMUELS, ESQ.
ETHAN MARK, ESQ.
MICHAEL O. WEISZ, ESQ.
ZACHARY P. HYMAN, ESQ.
BERGER SINGERMAN
350 EAST LAS OLAS BOULEVARD, STE 1000
FORT LAUDERDALE, FL 33301
emark@bergersingerman.com
lsamuels@bergersingerman.com
mweisz@bergersingerman.com
zhyman@bergersingerman.com
DRT@bergersingerman.com
mvega@bergersingerman.com
Attorneys for Plaintiff

PETER G. HERMAN, ESQ.
THE HERMAN LAW GROUP, P.A.
1401 E. BROWARD BLVD., STE 206
FORT LAUDERDALE, FL 33301
pgh@thglaw.com
*Attorneys for Defendants Steven F. Jacob
and Steven F. Jacob CPA & Associates, Inc.*

JONATHAN ETRA, ESQ.
MARK F. RAYMOND, ESQ.
SHANE MARTIN, ESQ.
BROAD AND CASSEL
One Biscayne Tower, 21st Floor
2 South Biscayne Blvd.
Miami, FL 33131
mraymond@broadandcassel.com

ssmith@broadandcassel.com

ccavallo@broadandcassel.com

jetra@broadandcassel.com

msouza@broadandcassel.com

smartin@broadandcassel.com

Attorneys for Michael Bienes