

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

**Case No: 12-034123(07)  
Complex Litigation Unit**

P&S ASSOCIATES, GENERAL PARTNERSHIP,  
a Florida limited partnership; and S&P  
ASSOCIATES, GENERAL PARTNERSHIP, a  
Florida limited partnership, PHILIP VON KAHLE  
as Conservator of P&S ASSOCIATES, GENERAL  
PARTNERSHIP, a Florida limited partnership, and  
S&P ASSOCIATES, GENERAL PARTNERSHIP,  
a Florida limited partnership

Plaintiffs,

v.

STEVEN JACOB, an individual, STEVEN F.  
JACOB, CPA & ASSOCIATES, INC., a Florida  
corporation, FRANK AVELLINO, an individual,  
and MICHAEL BIENES, an individual,

Defendants.

---

**AMENDED NOTICE OF HEARING**  
**(Special Set)**

**TO: ALL COUNSEL LISTED ON CERTIFICATE OF SERVICE**

YOU ARE HEREBY NOTIFIED that the above cause will be heard before the  
Honorable Jack Tuter, one of the Judges in the above styled Court to whom the case was  
assigned, at the Broward County Courthouse, located at 201 S.E. 6th Street, Fort Lauderdale,  
Florida, as follows:

DATE: March 14, 2016  
TIME: 2:00 p.m.  
JUDGE: The Honorable Jack Tuter

6993325-1

 **BERGER SINGERMAN**

---

350 EAST LAS OLAS BLVD. | SUITE 1000 | FORT LAUDERDALE, FLORIDA 33301  
t: 954-525-9900 | f: 954-523-2872 | WWW.BERGERSINGERMAN.COM

ROOM: 970

PHONE: (954) 831-7576

SPECIFIC MATTERS TO BE HEARD:

**MOTION TO COMPEL FRANK AVELLINO TO PRODUCE DOCUMENTS**

**MOTION TO COMPEL DEFENDANT FRANK AVELLINO TO PRODUCE DOCUMENTS IN RESPONSE TO FIFTH REQUEST FOR PRODUCTION**

**MOTION TO COMPEL DEFENDANT MICHAEL BIENES TO PRODUCE DOCUMENTS IN RESPONSE TO PLAINTIFFS' FIFTH REQUEST FOR PRODUCTION**

**DEFENDANT'S FRANK AVELLINO MOTION TO COMPEL PLAINTIFFS TO PRODUCE DOCUMENTS**

**DEFENDANT FRANK AVELLINO'S MOTION FOR PROTECTIVE ORDER**

**PLAINTIFF'S MOTION TO COMPEL DEFENDANTS, FRANK AVELLINO AND MICHAEL BIENES TO PROVIDE ANSWERS TO PLAINTIFF'S THIRD SET OF INTERROGATORIES AND TO COMPEL FRANK AVELLINO TO APPEAR AT DEPOSITION**

I HEREBY CERTIFY that a bona fide effort has been made prior to the filing of this Notice of Hearing to resolve the matters set for hearing herein.

March 9, 2016

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](mailto:lsamuels@bergersingerman.com)  
Zachary P. Hyman  
Florida Bar No. 98581  
[zhyman@bergersingerman.com](mailto:zhyman@bergersingerman.com)

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 9<sup>th</sup> day of March, 2016, a true and correct copy of the foregoing document was served via Electronic Mail upon the following parties:

Peter G. Herman, Esq.  
1401 E. Broward Blvd. Suite 206  
Fort Lauderdale, FL 33301  
Tel: 954-315-4874  
Fax: 954-762-2554  
[PGH@thlglaw.com](mailto:PGH@thlglaw.com)  
ServicePGH@thlglaw.com  
***Attorneys for Steven Jacob; Steven F. Jacob  
CPA & Associates, Inc.***

Thomas M. Messana, Esq.  
Messana, P.A.  
401 East Las Olas Boulevard, Suite 1400  
Fort Lauderdale, FL 33301  
Tel.: 954-712-7400  
Fax: 954-712-7401  
tmessana@messana-law.com  
***Attorneys for Plaintiff***

Gary A. Woodfield, Esq.  
Haile, Shaw & Pfaffenberger, P.A.  
660 U.S. Highway One, Third Floor  
North Palm Beach, FL 33408  
Tel.: 561-627-8100  
Fax. 561-622-7603  
gwoodfield@haileshaw.com  
bpetroni@haileshaw.com  
eservices@haileshaw.com  
***Attorneys for Defendant, Frank Avellino***

Jonathan Etra, Esq.  
Christopher Cavallo, Esq.  
Mark F. Raymond, Esq.  
Broad and Cassel  
One Biscayne Tower, 21<sup>st</sup> Floor  
2 South Biscayne Boulevard  
Miami, FL 33131  
Tel.: 305-373-9400  
Fax.: 305-373-9443  
mraymond@broadandcassel.com  
jetra@braodandcassel.com  
ccavallo@broadandcassel.com  
***Attorneys for Defendant, Michael Bienes***

By: s/Leonard K. Samuels