

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

P&S ASSOCIATES, GENERAL
PARTNERSHIP, a Florida limited
partnership; 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,

Case No. 12-34121 (07)
Complex Litigation Unit

Plaintiffs,

v.

JANET A. HOOKER CHARITABLE
TRUST, a charitable trust, et al.,

Defendants.

_____ /

**DEFENDANT, CONGREGATION OF THE HOLY GHOST - WESTERN PROVINCE'S
NOTICE OF ADMISSIONS OF**

Defendant, Congregation of the Holy Ghost - Western Province (“Congregation”), by and through undersigned counsel, hereby files Plaintiffs’ Responses and Objections to the Request for Admissions served by Holy Ghost - Western Province dated January 10, 2014.

I HEREBY CERTIFY that a true copy of the foregoing was served via the e-filing portal on all registered parties on March 10, 2014.

/s/ Marc S. Dobin
Marc S. Dobin
Florida Bar No. 997803
Jonathan T. Lieber
Florida Bar No. 92837
service@DobinLaw.com

P&S Associates, General Partnership, et als. v.
Hooker Charitable Trust, et als.
Case No. 12-34121
Page 2

Dobin Law Group, PA
500 University Boulevard
Suite 205
Jupiter, Florida 33458
561-575-5880; 561-246-3003 - Facsimile
Attorneys for Congregation of the Holy Ghost -
Western Province

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

Case No. 12-34121(07)
Complex Litigation Unit

P&S ASSOCIATES, GENERAL
PARTNERSHIP, a Florida limited
partnership; and S&P ASSOCIATES,
GENERAL PARTNERSHIP, a Florida
limited partnership, et al.,

Plaintiffs,

v.

JANET A. HOOKER CHARITABLE
TRUST, a charitable trust, et al,

Defendants.

**PLAINTIFFS' RESPONSES AND OBJECTIONS TO DEFENDANT, CONGREGATION
OF THE HOLY GHOST, WESTERN PROVINCE'S FIRST REQUEST FOR
ADMISSIONS TO PLAINTIFFS**

Pursuant to Florida Rule of Civil Procedure 1.370, Plaintiffs, by and through their undersigned counsel, hereby respond and object to Defendant, Congregation of the Holy Ghost, Western Province's ("Congregation of the Holy Ghost") First Request for Admissions to Plaintiffs as follows:

SPECIFIC RESPONSES AND OBJECTIONS

1. The Congregation of the Holy Ghost received a distribution from P&S partnership on January 31, 2003.

Response: Plaintiffs deny that the Congregation of the Holy Ghost received a distribution from P&S partnership on January 31, 2003.

2. The Congregation of the Holy Ghost has not received a distribution from the P&S partnership since January 31, 2003.

Response: Plaintiffs admit that the Congregation of the Holy Ghost has not received a distribution from the P&S partnership since January 31, 2003.

3. The Congregation of the Holy Ghost has not contributed any money to the P&S partnership since October 22, 1996.

Response: Plaintiffs admit that the Congregation of the Holy Ghost has not contributed any money to the P&S partnership since October 22, 1996.

4. There has been no activity in the capital account of the Congregation of the Holy Ghost since January 31, 2003.

Response: Plaintiffs admit that there has been no activity in the capital account of the Congregation of the Holy Ghost since January 31, 2003.

5. The P&S partnership provided the Congregation of the Holy Ghost with annual partnership records for 2003.

Response: Plaintiffs object to Request for Admission Number 5 because the undefined term “annual partnership records” is vague and unclear.

6. The P&S partnership provided the Congregation of the Holy Ghost with annual partnership records for 2004.

Response: Plaintiffs object to Request for Admission Number 6 because the undefined term “annual partnership records” is vague and unclear.

7. The P&S partnership provided the Congregation of the Holy Ghost with annual partnership records for 2005.

Response: Plaintiffs object to Request for Admission Number 7 because the undefined term “annual partnership records” is vague and unclear.

8. The P&S partnership provided the Congregation of the Holy Ghost with annual partnership records for 2006.

Response: Plaintiffs object to Request for Admission Number 8 because the undefined term “annual partnership records” is vague and unclear.

9. The P&S partnership provided the Congregation of the Holy Ghost with annual partnership records for 2007.

Response: Plaintiffs object to Request for Admission Number 9 because the undefined term “annual partnership records” is vague and unclear.

10. The P&S partnership provided the Congregation of the Holy Ghost with annual partnership records for 2008.

Response: Plaintiffs object to Request for Admission Number 10 because the undefined term “annual partnership records” is vague and unclear.

11. The P&S partnership provided the Congregation of the Holy Ghost with annual partnership records for 2009.

Response: Plaintiffs object to Request for Admission Number 11 because the undefined term “annual partnership records” is vague and unclear.

12. The P&S partnership provided the Congregation of the Holy Ghost with annual partnership records for 2010.

Response: Plaintiffs object to Request for Admission Number 12 because the undefined term “annual partnership records” is vague and unclear.

13. The P&S partnership provided the Congregation of the Holy Ghost with annual partnership records for 2011.

Response: Plaintiffs object to Request for Admission Number 13 because the undefined term “annual partnership records” is vague and unclear.

14. The P&S partnership provided the Congregation of the Holy Ghost with annual partnership records for 2012.

Response: Plaintiffs object to Request for Admission Number 14 because the undefined term “annual partnership records” is vague and unclear.

15. The P&S partnership provided the Congregation of the Holy Ghost with annual partnership records for 2013.

Response: Plaintiffs object to Request for Admission Number 15 because the undefined term “annual partnership records” is vague and unclear.

16. Beginning in 2009, the P&S partnership did not provide the Congregation of the Holy Ghost with partnership records.

Response: Plaintiffs object to Request for Admission Number 16 because the undefined term “partnership records” is vague and unclear.

17. The P&S partnership never provided the Congregation of the Holy Spirit Province of the United States with partnership records.

Response: Plaintiffs object to Request for Admission Number 17 because the undefined term “partnership records” is vague and unclear. Additionally, Plaintiffs have made a reasonably inquiry but because Plaintiffs are in the process of reviewing and obtaining all of the documents in relation to P&S Associates, including without limitation waiting for Congregation

of the Holy Ghost's responses to Plaintiffs' discovery requests, Plaintiffs lack sufficient knowledge to admit or deny the Request for Admission Number 17.

18. The P&S partnership never received any contribution from the Congregation of the Holy Spirit Province of the United States.

Response: Plaintiffs admit that the P&S partnership never received any contribution directly from the Congregation of the Holy Spirit Province of the United States.

19. The P&S partnership never made any distributions to the Congregation of the Holy Spirit Province of the United States.

Response: Plaintiffs admit that the P&S partnership never made any distributions directly to the Congregation of the Holy Spirit Province of the United States.

20. The Congregation of the Holy Spirit Province of the United States is not a partner in P&S partnership.

Response: Plaintiffs admit that the Congregation of the Holy Spirit Province of the United States is not a partner in P&S partnership.

21. The Congregation of the Holy Ghost is dissociated from the P&S partnership.

Response: Plaintiffs have made a reasonably inquiry but because Plaintiffs are in the process of reviewing and obtaining all of the documents in relation to P&S Associates, including without limitation waiting for Congregation of the Holy Ghost's responses to Plaintiffs' discovery requests, Plaintiffs lack sufficient knowledge to admit or deny the Request for Admission Number 21. However, Plaintiffs admit that on June 30, 2002 Philip D. Evanstock wrote a letter to P&S Associates expressing his desire to "terminate the Congregation of the Holy Ghost account and transfer the funds to us by check [,]" and that despite the letter,

Congregation of the Holy Ghost received distributions from P&S Associates on January 1, 2003 and January 23, 2003.

22. The Congregation of the Holy Ghost was dissociated from the P&S partnership in 2003.

Response: Plaintiffs have made a reasonably inquiry but because Plaintiffs are in the process of reviewing and obtaining all of the documents in relation to P&S Associates, including without limitation waiting for Congregation of the Holy Ghost's responses to Plaintiffs' discovery requests, Plaintiffs lack sufficient knowledge to admit or deny the Request for Admission Number 22. However, Plaintiffs admit that on June 30, 2002 Philip D. Evanstock wrote a letter to P&S Associates expressing his desire to "terminate the Congregation of the Holy Ghost account and transfer the funds to us by check [,]" and that despite the letter, Congregation of the Holy Ghost received distributions from P&S Associates on January 1, 2003 and January 23, 2003.

23. The Congregation of the Holy Ghost was dissociated from the P&S partnership in 2004.

Response: Plaintiffs have made a reasonably inquiry but because Plaintiffs are in the process of reviewing and obtaining all of the documents in relation to P&S Associates, including without limitation waiting for Congregation of the Holy Ghost's responses to Plaintiffs' discovery requests, Plaintiffs lack sufficient knowledge to admit or deny the Request for Admission Number 23. However, Plaintiffs admit that on June 30, 2002 Philip D. Evanstock wrote a letter to P&S Associates expressing his desire to "terminate the Congregation of the Holy Ghost account and transfer the funds to us by check [,]" and that despite the letter,

Congregation of the Holy Ghost received distributions from P&S Associates on January 1, 2003 and January 23, 2003.

24. The Congregation of the Holy Ghost was dissociated from the P&S partnership in 2005.

Response: Plaintiffs have made a reasonably inquiry but because Plaintiffs are in the process of reviewing and obtaining all of the documents in relation to P&S Associates, including without limitation waiting for Congregation of the Holy Ghost's responses to Plaintiffs' discovery requests, Plaintiffs lack sufficient knowledge to admit or deny the Request for Admission Number 24. However, Plaintiffs admit that on June 30, 2002 Philip D. Evanstock wrote a letter to P&S Associates expressing his desire to "terminate the Congregation of the Holy Ghost account and transfer the funds to us by check [,]" and that despite the letter, Congregation of the Holy Ghost received distributions from P&S Associates on January 1, 2003 and January 23, 2003.

25. The Congregation of the Holy Ghost was dissociated from the P&S partnership in 2006.

Response: Plaintiffs have made a reasonably inquiry but because Plaintiffs are in the process of reviewing and obtaining all of the documents in relation to P&S Associates, including without limitation waiting for Congregation of the Holy Ghost's responses to Plaintiffs' discovery requests, Plaintiffs lack sufficient knowledge to admit or deny the Request for Admission Number 25. However, Plaintiffs admit that on June 30, 2002 Philip D. Evanstock wrote a letter to P&S Associates expressing his desire to "terminate the Congregation of the Holy Ghost account and transfer the funds to us by check [,]" and that despite the letter,

Congregation of the Holy Ghost received distributions from P&S Associates on January 1, 2003 and January 23, 2003.

26. The Congregation of the Holy Ghost was dissociated from the P&S partnership in 2007.

Response: Plaintiffs have made a reasonably inquiry but because Plaintiffs are in the process of reviewing and obtaining all of the documents in relation to P&S Associates, including without limitation waiting for Congregation of the Holy Ghost's responses to Plaintiffs' discovery requests, Plaintiffs lack sufficient knowledge to admit or deny the Request for Admission Number 26. However, Plaintiffs admit that on June 30, 2002 Philip D. Evanstock wrote a letter to P&S Associates expressing his desire to "terminate the Congregation of the Holy Ghost account and transfer the funds to us by check [,]" and that despite the letter, Congregation of the Holy Ghost received distributions from P&S Associates on January 1, 2003 and January 23, 2003.

27. The Congregation of the Holy Ghost was dissociated from the P&S partnership in 2008.

Response: Plaintiffs have made a reasonably inquiry but because Plaintiffs are in the process of reviewing and obtaining all of the documents in relation to P&S Associates, including without limitation waiting for Congregation of the Holy Ghost's responses to Plaintiffs' discovery requests, Plaintiffs lack sufficient knowledge to admit or deny the Request for Admission Number 27. However, Plaintiffs admit that on June 30, 2002 Philip D. Evanstock wrote a letter to P&S Associates expressing his desire to "terminate the Congregation of the Holy Ghost account and transfer the funds to us by check [,]" and that despite the letter,

Congregation of the Holy Ghost received distributions from P&S Associates on January 1, 2003 and January 23, 2003.

28. The Congregation of the Holy Ghost was dissociated from the P&S partnership in 2009.

Response: Plaintiffs have made a reasonably inquiry but because Plaintiffs are in the process of reviewing and obtaining all of the documents in relation to P&S Associates, including without limitation waiting for Congregation of the Holy Ghost's responses to Plaintiffs' discovery requests, Plaintiffs lack sufficient knowledge to admit or deny the Request for Admission Number 28. However, Plaintiffs admit that on June 30, 2002 Philip D. Evanstock wrote a letter to P&S Associates expressing his desire to "terminate the Congregation of the Holy Ghost account and transfer the funds to us by check [,]" and that despite the letter, Congregation of the Holy Ghost received distributions from P&S Associates on January 1, 2003 and January 23, 2003.

29. The Congregation of the Holy Ghost was dissociated from the P&S partnership in 2010.

Response: Plaintiffs have made a reasonably inquiry but because Plaintiffs are in the process of reviewing and obtaining all of the documents in relation to P&S Associates, including without limitation waiting for Congregation of the Holy Ghost's responses to Plaintiffs' discovery requests, Plaintiffs lack sufficient knowledge to admit or deny the Request for Admission Number 29. However, Plaintiffs admit that on June 30, 2002 Philip D. Evanstock wrote a letter to P&S Associates expressing his desire to "terminate the Congregation of the Holy Ghost account and transfer the funds to us by check [,]" and that despite the letter,

Congregation of the Holy Ghost received distributions from P&S Associates on January 1, 2003 and January 23, 2003.

30. The Congregation of the Holy Ghost was dissociated from the P&S partnership in 2011.

Response: Plaintiffs have made a reasonably inquiry but because Plaintiffs are in the process of reviewing and obtaining all of the documents in relation to P&S Associates, including without limitation waiting for Congregation of the Holy Ghost's responses to Plaintiffs' discovery requests, Plaintiffs lack sufficient knowledge to admit or deny the Request for Admission Number 30. However, Plaintiffs admit that on June 30, 2002 Philip D. Evanstock wrote a letter to P&S Associates expressing his desire to "terminate the Congregation of the Holy Ghost account and transfer the funds to us by check [,]" and that despite the letter, Congregation of the Holy Ghost received distributions from P&S Associates on January 1, 2003 and January 23, 2003.

31. The Congregation of the Holy Ghost was dissociated from the P&S partnership in 2012.

Response: Plaintiffs object to Request for Admission Number 31 because Congregation of the Holy Ghost has exceeded the amount of requests permitted by Fla. R. Civ. P. 1.370. Plaintiffs reserve their right to serve an additional written answer or objection to this Request if necessary.

32. The Congregation of the Holy Ghost was dissociated from the P&S partnership in 2013.

Response: Plaintiffs object to Request for Admission Number 32 because Congregation of the Holy Ghost has exceeded the amount of requests permitted by Fla. R. Civ. P. 1.370.

Plaintiffs reserve their right to serve an additional written answer or objection to this Request if necessary.

33. The Congregation of the Holy Ghost did not participate in the affairs of the P&S partnership after December 31, 2004.

Response: Plaintiffs object to Request for Admission Number 33 because Congregation of the Holy Ghost has exceeded the amount of requests permitted by Fla. R. Civ. P. 1.370. Plaintiffs reserve their right to serve an additional written answer or objection to this Request if necessary.

34. The Congregation of the Holy Ghost was never a partner in the co-plaintiff, S&P ASSOCIATES, GENERAL PARTNERSHIP, a Florida limited partnership.

Response: Plaintiffs object to Request for Admission Number 34 because Congregation of the Holy Ghost has exceeded the amount of requests permitted by Fla. R. Civ. P. 1.370. Plaintiffs reserve their right to serve an additional written answer or objection to this Request if necessary.

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

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 10th day of January, 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.	dmatlow@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



Counsel	E-mail Address:
Marc S Dobin, Esq.	service@dobinlaw.com ; mdobin@dobinlaw.com ;
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.	boh hunt@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

5398878-1

