

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

PHILIP J. VON KAHLE, as Conservator of
P&S Associates, General Partnership and
S&P Associates, General Partnership

Case No. 12-034123 (07)
Complex Litigation Unit

Plaintiffs,

vs.

MICHAEL D. SULLIVAN, et al.,

Defendants.

**NOTICE OF FILING CONSERVATOR'S STATUS
CONFERENCE AGENDA FOR JUNE 20, 2014 AT 1:30 PM**

Philip J. Von Kahle, as Conservator for P&S, General Partnership and S&P, General Partnership, by and through counsel, hereby gives notice of filing the attached *Conservator's Status Conference Agenda for June 20, 2014 at 1:30 PM* in the matter of *Matthew Carone, et. al. v. Michael D. Sullivan, individually*, Case No. 12-24051 (07) in the Circuit Court of the 17th Judicial Circuit, in and for Broward County, Florida.

Respectfully submitted this 13th day of June, 2014.

MESSANA, P.A.
Attorneys for Conservator
Post Office Drawer 2485
Fort Lauderdale, FL 33303
Telephone: 954-712-7400
Facsimile: 954-712-7401
e-mail: tmessana@messana-law.com

By: /s/ Thomas M. Messana
Thomas M. Messana
Florida Bar No. 991422

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

MATTHEW CARONE, et al.,

CASE NO. 12-24051 (07)

Complex Litigation Unit

Plaintiffs,

v.

MICHAEL D. SULLIVAN, individually,

Defendant.

**CONSERVATOR'S STATUS CONFERENCE AGENDA
FOR JUNE 20, 2014 AT 1:30PM**

Philip J. von Kahle (the "**Conservator**"), as Conservator for P&S Associates, General Partnership ("**P&S**") and S&P Associates, General Partnership ("**S&P**") (together, the "**Partnerships**"), by and through undersigned counsel, pursuant to this Court's July 9, 2013 *Standing Order Setting Monthly Status Conferences* (the "**Standing Order**"), hereby files the Conservator's Status Conference Agenda for June 20, 2014 at 1:30 pm (the "**Agenda**"), and in support thereof states as follows:

Brief Introduction

1. The Conservator was appointed pursuant to this Court's January 17, 2013 *Order Appointing Conservator* ("**Conservator Order**") in the above-captioned action (the "**Conservator Suit**").

2. The Conservator Suit, and certain related cases, are presently pending before this Court, styled:

- *P&S Associates, General Partnership and S&P Associates, General Partnership, Plaintiffs v. Alves, et al.*, Case No. 12-028324 (07) (the "**Interpleader Action**");
- *P&S Associates, General Partnership and S&P Associates, General Partnership,, Plaintiffs v. Janet A. Hooker Charitable Trust, e. al.*, Case No. 12-034121 (07) (the "**Net Winner Suit**"); and
- *P&S Associates, General Partnership and S&P Associates, General Partnership, Plaintiffs v. Michael D. Sullivan, et al.*, Case No. 12-034123 (07) (the "**Insider Suit**") and together with the Conservator Suit, the "**Lawsuits**").

3. The Conservator has identified the following matters and requests that this court consider the same at the status conference presently scheduled for June 20, 2014 (the “**Status Conference**”).

The Conservator Suit

4. Conservator’s Interim Report and Second Application for Allowance and Payment of Compensation and Reimbursement of Expenses for the Conservator and Messina, P.A., as Counsel for the Conservator.

The Interpleader Action

5. No action is required at this time.

The Net Winner Suit

6. Defendants, James Judd and Valerie Judd Motion for Summary Judgment.

7. Plaintiffs’ Response and Memoranda in Opposition to Defendants James and Valerie Judd’s Motion for Summary Judgment.

8. Plaintiffs’ Motion to Dismiss Defendants James and Valerie Judds’ Counterclaim.

9. Selection of Mediators.

10. Selection of Trial Dates for remaining Defendants.

The Insider Suit

11. Defendant, Frank Avellino’s Motion for an Extension of Time to Complete Discovery and File Dispositive Motions.

12. Defendant, Frank Avellino’s Motion for a Case Management Conference.

13. Plaintiffs’ Motion to Compel Defendant, Michael Bienes to Produce Documents and Provide Better Responses to Plaintiffs’ Interrogatories.

14. Defendant Michael Bienes Response in Opposition to Plaintiffs’ Motion to Compel.

Conclusion

15. The above identified matters are not intended to be an exhaustive list of matters the Court may consider at the Status Conference, as the Standing Order provides that the

“Agenda shall by no means limit this Court’s authority to enter Orders as it sees fit or preclude parties who attend the Status Conferences from presenting *ore tenus* motions that are not included in the Agenda.” (Standing Order at ¶4).

Respectfully submitted this June 13, 2014.

MESSANA, P.A.
Attorneys for Conservator
401 East Las Olas Boulevard, Suite 1400
Ft. Lauderdale, FL 33301
Telephone: (954) 712-7400
Facsimile: (954) 712-7401
Email: tmessana@messana-law.com
By: /s/ Thomas M. Messana
Thomas M. Messana, Esq.
Florida Bar No. 991422
Thomas G. Zeichman, Esq.
Florida Bar No. 99239