

IN THE CIRCUIT COURT OF THE 17<sup>TH</sup> JUDICIAL CIRCUIT OF FLORIDA,  
IN AND FOR BROWARD COUNTY  
CASE NO.: 12-034123 (07)

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

Plaintiffs,

v.

MICHAEL D. SULLIVAN, et al.,

Defendants.

**DEFENDANT FRANK AVELLINO'S NOTICE OF FILING**  
**AFFIDAVIT OF GARY WOODFIELD**

Defendant, Frank Avellino, by and through his undersigned counsel, hereby gives notice of filing the attached Affidavit of Gary Woodfield pursuant to Court order dated June 16, 2016.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 22<sup>nd</sup> day of June, 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.

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\_\_\_\_\_ /

**AFFIDAVIT OF GARY WOODFIELD**

COUNTY OF PALM BEACH        )  
  ) ss:  
STATE OF FLORIDA            )

Before me, personally appeared Gary Woodfield who, being duly sworn, deposes and states:

1. I am counsel for Frank Avellino (“Avellino”), a named defendant in the above captioned action. I submit this affidavit pursuant to the Court’s Order Denying Plaintiffs’ Motion to Compel the Inspection of Defendant Frank Avellino’s Storage Facility, dated June 16, 2016.

2. Plaintiffs’ motion sought to inspect what they alleged were files in Avellino’s storage facility to locate and produce emails and other responsive documents to Plaintiffs’ outstanding discovery requests.

3. The storage facility referred to in the motion is not Avellino’s storage facility but rather is my firm’s storage facility that contains closed files including pleadings and discovery

from other actions in which I have represented Avellino.

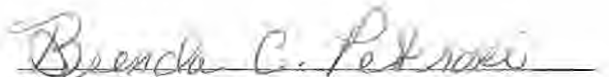
4. The files in our firm's storage facility do not contain emails or documents responsive to Plaintiffs' discovery demands in this action.

  
GARY WOODFIELD

STATE OF FLORIDA

COUNTY OF PALM BEACH

Subscribed and sworn to before me this 21<sup>st</sup> day of June, 2016 by Gary Woodfield, who is personally known to me or who produced \_\_\_\_\_ as identification.

  
Notary Public  
Print Name: \_\_\_\_\_

[SEAL]

