

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

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

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

Plaintiffs,

vs.

MICHAEL D. SULLIVAN, et al.,

Defendants.

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**ORDER MODIFYING AMENDED CASE  
MANAGEMENT ORDER DATED JULY 15, 2014**

THIS CAUSE came before the Court on Defendants Frank Avellino's and Michael Bienes' Joint Motion to Continue the Trial, for Protective Order, and for a Case Management Conference, and having considered the Case Management Order in this action, it is hereby:

**ORDERED** and **ADJUDGED** as follows:

1. This Court's Case Management Order, dated July 15, 2014 (the "Case Management Order") is modified as follows:

a) Paragraph 5 of the Case Management Order is modified to state: "The parties have stipulated and it is ordered that this case shall be ready for trial on February 22, 2016."

b) Paragraph 7 of the Case Management Order is modified to state: "The jury trial of this case shall occur during the 1<sup>st</sup> Quarter 2016 trial period beginning 1/19 - 4/8/16 with Calendar Call on 12/9/15 @ 8:45. The parties estimate the trial will be completed in 10 days."

c) Paragraph 8 of the Case Management Order is modified to state: "The Final Case Management Conference is scheduled for \_\_\_\_\_ . The parties shall prepare and provide at the Final Case Management Conference a joint pre-trial statement complying with CLP 9.2."

d) Paragraph 9 of the Case Management Order is modified to state: "The parties shall have until October 9, 2015 to conduct and conclude fact discovery. It is further ordered that the setting of the discovery deadline will not limit any part from filing summary judgment motions during the period, but any such motions should be narrowly drawn to address only issues on which discovery had been completed. If there are still motions pending after the discovery period, the court will set a briefing schedule at that time."

e) Paragraph 10 of the Case Management Order is modified to state: "The plaintiffs shall designate experts expected to be called at trial by November 6, 2015. The defendants shall designate experts expected to be called at trial by November 20, 2015; the plaintiffs shall serve any expert report and provide all information specified by CLP 7.5 by December 11, 2015; the defendants shall serve any expert report and provide all information specified by CLP 7.5 by December 30, 2015; and the parties shall have until January 15, 2016 to conduct and conclude expert discovery."

f) Paragraph 13 of the Case Management Order is modified to state: "Dispositive motions shall be filed by February 5, 2016."

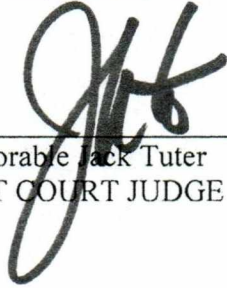
g) Paragraph 14 of the Case Management Order is modified to state: "Motions *in limine* shall be filed by February 17, 2016."

h) Paragraph 15 of the Case Management Order is modified to state: "The parties shall mediate this dispute before January 22, 2016."

**DONE AND ORDERED** in Chambers at Ft. Lauderdale, Broward County, Florida this

~~21~~ day of ~~May~~, 2015.

July



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The Honorable Jack Tuter  
CIRCUIT COURT JUDGE

Conformed copies to:

Attorneys of Record