

IN THE CIRCUIT COURT OF THE 17TH
JUDICIAL CIRCUIT IN AND FOR
BROWARD COUNTY, FLORIDA
CASE NO. 12-034123 (07)
Complex Litigation Unit

MARGARET J. SMITH, et al.,

Plaintiffs,

vs.

MICHAEL D. SULLIVAN, et al.,

Defendants.

**DEFENDANT, FRANK AVELLINO'S MOTION FOR EXTENSION OF TIME
TO RESPOND TO COMPLAINT**

Defendant, Frank Avellino (hereinafter "Defendant"), by and through his undersigned counsel, files this motion for entry of an order extending his time to respond to Plaintiff's complaint, and in support thereof, states as follows:

1. Defendant was served with the Complaint on August 22, 2013. Accordingly, Defendant's response to the complaint is due September 11, 2013.
2. The undersigned firm was recently retained by the Defendant to represent him in this action.
3. Undersigned counsel requires additional time to review the facts and relevant documentation in order to prepare the response to the complaint.
4. This request is not made for the purpose of delay.

WHEREFORE, Defendant Frank Avellino hereby request that this court enter an order extending his time to respond to Plaintiffs' complaint to and including September 30, 2013, and for such other and further relief as this Court deems just and proper.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent by e-mail and U.S. Mail to Thomas M. Messana, Esq, Massana, P.A., 401 East Las Olas Boulevard, Suite 1400, Fort Lauderdale, Florida 33301, tmessana@messana-law.com, Etan Mark, Esq., Berger Singerman, 350 East Las Olas Blvd., Suite 1000, Fort Lauderdale, FL, 33301, emark@bergersingerman.com, and Peter G. Herman, Esq., 110 SE 6th Street, 15th Floor, Fort Lauderdale, FL 33301, pgh@trippscott.com this 3rd day of September, 2013.

HAILE, SHAW & PFAFFENBERGER, P.A.

Attorneys for Defendant

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