

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

CASE NO. 12-034123  
COMPLEX LITIGATION UNIT

MARGARET J SMITH as Managing General  
Partner of P&S ASSOCIATES, GENERAL  
PARTNERSHIP, a Florida limited partnership and  
S&P ASSOCIATES, GENERAL PARTNERSHIP,  
a Florida limited partnership; P&S ASSOCIATES  
GENERAL PARTNERSHIP, a Florida limited  
Partnership; and S&P ASSOCIATES, GENERAL  
PARTNERSHIP, a Florida limited partnership,

Plaintiffs,

v.

MICHAEL D. SULLIVAN, an individual  
STEVEN JACOB, an individual, MICHAEL D.  
SULLIVAN & ASSOCIATES, INC., a Florida  
Corporation, STEVEN F. JACOB, CPA &  
ASSOCIATES, INC., a Florida corporation,  
FRANK AVELLINO, an individual, MICHAEL  
BIENES, an individual, KELCO FOUNDATION,  
INC., a Florida Non Profit Corporation, and  
VINCENT T. KELLY, an individual,

Defendants.

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**NOTICE OF HEARING**

*(Special set ~ 30 minutes)*

PLEASE TAKE NOTICE that we have set down for hearing before the **Honorable Judge Jeffrey E. Streitfeld**, at the Broward County Courthouse, in Chambers Room 920A, 201 Southeast Sixth Street, Fort Lauderdale, FL 33301 on **Tuesday, September 17, 2013 at 11:30 a.m.** or as soon as counsel may be heard, the following:

**DEFENDANTS STEVEN JACOB AND STEVEN F. JACOB, INC. MOTION TO DISMISS OR IN  
THE ALTERNATIVE FOR A MORE DEFINITE STATEMENT**

I HEREBY CERTIFY that a true copy of the foregoing was furnished by email to the following parties:

**LEONARD K. SAMUELS, ESQ.** [lsamuels@bergersingerman.com](mailto:lsamuels@bergersingerman.com), **DANIEL H. THOMPSON, ESQ.** [drt@bergersingerman.com](mailto:drt@bergersingerman.com), and **ETAN MARK, ESQ.** [emark@bergersingerman.com](mailto:emark@bergersingerman.com), Attorneys for Plaintiff, at Berger Singerman, 350 East Las Olas Blvd, Suite 1000, Fort Lauderdale, FL 33301

**THOMAS M. MESSANA, ESQ.** [tmessana@messna-law.com](mailto:tmessana@messna-law.com), Attorney for Conservator, at Messana, P.A., 401 E. Las Olas Boulevard, Suite 1400, Fort Lauderdale, FL 33301

**GARY A. WOODFIELD, ESQ.** [gwoodfield@haileshaw.com](mailto:gwoodfield@haileshaw.com); [bpetroni@haileshaw.com](mailto:bpetroni@haileshaw.com); [eservices@haileshaw.com](mailto:eservices@haileshaw.com), Attorneys for Defendant Frank Avellino, at Haile, Shaw & Pfaffenberger, P.A., 660 U.S. Highway One, Third Floor, North Palm Beach, FL 33408

*and a courtesy copy hand delivered to Judge Streitfeld, this 3rd day of September, 2013.*

TRIPP SCOTT, P.A.  
Attorneys for Defendants,  
STEVEN JACOB and STEVEN F. JACOB, CPA  
& ASSOCIATES, INC.  
110 S.E. 6th Street, 15th Floor  
Fort Lauderdale, FL 33301  
Telephone: (954) 525-7500  
Facsimile: (954) 761-8475

By: s/Peter G. Herman  
Peter G. Herman  
Fla. Bar No. 353991

Primary: [pgh@trippscott.com](mailto:pgh@trippscott.com), [asg@trippscott.com](mailto:asg@trippscott.com)

Secondary: [ele@trippscott.com](mailto:ele@trippscott.com), [rep@trippscott.com](mailto:rep@trippscott.com)

cc: *Judge Streitfeld's assistant with copy of motion and response*