

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

MARGARET SMITH, et al.,

Plaintiffs,

Case No. 12-34121 (07)
Complex Litigation Unit

v.

JANET A. HOOKER CHARITABLE
TRUST, et al.,

Defendants.

**ETTOH, LTD.'S AGREED MOTION FOR EXTENSION OF TIME TO REPLY
TO PLAINTIFFS' RESPONSE AND MEMORANDUM IN OPPOSITION
TO DEFENDANT ETTOH, LTD.'S MOTION TO DISMISS THE COMPLAINT**

Defendant, ETTOH, LTD. ("Ettoh"), by and through the undersigned counsel, and upon the agreement of counsel for Margaret Smith, hereby moves for a fifteen (15) day extension of its deadline to reply to Plaintiffs' Response and Memorandum in Opposition to Defendant Ettoh, Ltd.'s Motion to Dismiss the Complaint and Incorporated Memorandum of Law ("Reply"), through and including September 24, 2013. In support of this Motion, Ettoh states as follows:

1. On July 31, 2013, Ettoh filed its Motion to Dismiss the Complaint and Incorporated Memorandum of Law ("Motion to Dismiss") seeking dismissal of the Plaintiffs' Complaint.
2. On August 23, 2013, Plaintiffs requested and counsel for Ettoh agreed to an extension of time for Plaintiffs to respond to the Motion to Dismiss.
3. On August 30, 2013, Plaintiffs' filed their Response and Memorandum in Opposition to Defendant Ettoh, Ltd.'s Motion to Dismiss the Complaint and Incorporated Memorandum of Law ("Response") in opposition to Ettoh's Motion to Dismiss.

4. Pursuant to the Complex Litigation Unit Procedures for Broward County, Florida, Ettoh's Reply to Plaintiffs' Response is currently due on September 9, 2013.

5. Due to the press of unrelated matters, the undersigned counsel has been unable to prepare papers in reply to Plaintiffs' Response within the current schedule. Ettoh thus respectfully requests a brief fifteen (15) day extension of time, through and including September 24, 2013, within which to file its Reply to Plaintiffs' Response.

6. Ettoh submits that no prejudice will result to any of the parties, or the Court, if Ettoh is granted the brief extension of time to file its Reply until September 24, 2013.

7. This motion is not being interposed for purposes of delay, but, rather, for the cause set forth herein. A proposed Order Granting the Motion is attached hereto as Exhibit "A."

WHEREFORE, for the foregoing reasons, Defendant, Ettoh, Ltd., respectfully requests that this Court enter an order substantially in the form of the order attached as Exhibit A, extending the deadline for Ettoh to file its Reply to Plaintiffs' Response through and including Tuesday, September 24, 2013, and granting such further relief that this Court deems just and proper.

CERTIFICATION OF COMPLIANCE WITH RULE 5.3

Pursuant to Rule 5.3 of the Complex Litigation Unit Procedures for Broward County, Florida, undersigned counsel certifies that she has contacted counsel for Plaintiffs in a good faith effort to resolve this Motion, and Plaintiffs have agreed to the relief requested.

Dated this 6th day of September, 2013.

Respectfully submitted,

DANIELS KASHTAN
4000 Ponce De Leon Blvd.
Suite 800
Coral Gables, Florida 33146
Telephone: (305) 448-7988
Facsimile: (305) 448-7978

By: s/ Annette M. Urena
Michael C. Foster
Florida Bar No. 0042765
E-mail: mfoster@dkdr.com
Annette M. Urena
Florida Bar No. 0014838
E-mail: aarena@dkdr.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished via email this 6th day of September, 2013 on the following:

Thomas M. Messina, Esq.
Brett Lieberman, Esq.
Messana, P.A.
401 East Las Olas Boulevard
Suite 1400
Fort Lauderdale, FL 33301
954-712-7400
tmessana@messana-law.com
blieberman@messana-law.com

Peter G. Herman, Esq.
Assouline & Berlowe, P.A.
213 E. Sheridan Street, Suite 3
Dania Beach, FL 33004
ena@assoulineberlowe.com
ah@assoulineberlowe.com

Leonard K. Samuels, Esq.
Etan Mark, Esq.
Steven D. Weber, Esq.
Berger Singerman, LLP
350 East Las Olas Boulevard
Suite 1000
Fort Lauderdale, Florida 33301
lsamuels@bergersingerman.com
emark@bergersingerman.com
sweber@bergersingerman.com

Daniel W. Matlow, Esq.
Daniel W. Matlow, P.A.
Emerald Lake Corporate Park
2109 Stirling Road, Suite 101
Fort Lauderdale, FL 33312
dmatlow@danmatlow.com
assistant@danmatlow.com

Eric N. Assouline, Esq.
Assouline & Berlowe, P.A.
213 E. Sheridan Street, Suite 3
Dania Beach, FL 33004
ena@assoulineberlowe.com
ah@assoulineberlowe.com

Marc S. Dobin, Esq.
Dobin Law Group, P.A.
500 University Blvd., Suite 205
Jupiter, FL 33458
service@Dobinlaw.com

Joseph P. Klapholz, Esq.
Joseph P. Klapholz, P.A.
Rita Newman and Gertrude Gordon
2500 Hollywood Boulevard, Suite 212
Hollywood, FL 3302076197619
jklap@klapholzpa.com
dml@klapholzpa.com

Michael R. Casey, Esq.
1821 NE 38th St., #707
Oakland Park, FL 33308
Mcasey666@gmail.com

Richard T. Woulfe, Esq.
Bunnell & Woulfe, P.A.
One Financial Plaza, Suite 1000
100 SE Third Avenue
Fort Lauderdale, FL 33394
Pleadings.rtw@bunnellwoulfe.com

Joanne Wilcomes, Esq.
McCarter & English, LLP
100 Mulberry Street
Four Gateway Center
Newark, NJ 07102
jwilcomes@mccarter.com

Thomas L. Abrams, Esq.
1776 N. Pine Island Road, Suite 309
Plantation, FL 33322
tabrams@tabramslaw.com

Julian H. Kreeger, Esq.
Attorneys for Defendants
James Bruce Judd and Valeria Judd
2665 S. Bayshore Drive, Suite 220-14
Miami, FL 33133-5402
juliankreeger@gmail.com

s/ Annette M. Urena _____
Annette M. Urena

EXHIBIT A

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

MARGARET SMITH, et al.,

Plaintiffs,

Case No. 12-34121 (07)
Complex Litigation Unit

v.

JANET A. HOOKER CHARITABLE
TRUST, et al.,

Defendants.

**ORDER GRANTING DEFENDANT'S ETTOH, LTD.'S
AGREED MOTION FOR EXTENSION OF TIME TO REPLY TO
PLAINTIFFS' RESPONSE AND MEMORADNUM IN OPPOSITION TO
DEFENDANT ETTOH, LTD.'S MOTION TO DISMISS THE COMPLAINT**

THIS CAUSE came before the Court on Defendant Ettoh, Ltd.'s Motion for Extension of Time to Reply to Plaintiffs' Response and Memorandum in Opposition to Defendant Ettoh, Ltd.'s Motion to Dismiss the Complaint and Incorporated Memorandum of Law, and the Court having reviewed the file, and being apprised of the agreement of counsel, it is:

ORDERED AND ADJUDGED that the Motion is GRANTED. Defendant Ettoh, Ltd. shall have through and including September 24, 2013 in which to reply to Plaintiffs' Response and Memorandum in Opposition to Defendant Ettoh, Ltd.'s Motion to Dismiss the Complaint and Incorporated Memorandum of Law

DONE AND ORDERED in Chambers at Broward County, Florida, this ___ day of _____, 2013.

COMPLEX LITIGATION UNIT
CIRCUIT COURT JUDGE

Copies to: Counsel of record