

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

P & S ASSOCIATES, GENERAL
PARTNERSHIP and S & P ASSOCIATES,
GENERAL PARTNERSHIP,

CASE NO. 12-028324 (07)
Complex Litigation Unit

Plaintiff,

v.

ROBERTA P. ALVES, ET AL.,

Defendants.

**CONSERVATOR'S MOTION TO EXTEND TIME TO
SERVE THE SUMMONS AND COMPLAINT**

Philip J. Von Kahle (the "Conservator"), as Conservator for P&S Associates, General Partnership ("P&S") and S&P Associates, General Partnership ("S&P") (together, the "Partnerships"), files this Motion to Extend Time to Serve the Summons and Complaint (the "Motion"), and in support thereof states as follows:

1. After review of certain of the available records, the Conservator discovered that certain parties in the instant Interpleader Action have not been served with the Summons and Complaint.

2. On March 20, 2013, this Court entered certain orders in each of the Lawsuits extending, pursuant to Fla. R. Civ. P. 1070(j), the time to timely serve the various defendants.

3. Since then, the Conservator has expended considerable efforts to, among other things, determine the proper and updated information necessary to obtain approximately 92 alias process.

4. On July 19, 2013, in abundance of caution and to provide notice to partners and former partners of the Partnerships, the Conservator filed a third amended complaint which named approximately 157 additional parties.

5. The Conservator sought and obtained summonses to serve the additional parties named in the third amended complaint.

6. Presently, the deadline to serve the Summons and Complaint on all parties is September 26, 2013.

7. Upon receiving the summonses, the Conservator has committed substantial energy and resources to effectuating service on the parties, many of whom reside outside of the state.

8. Despite Conservator's best efforts, certain parties remain unserved. However, the Conservator has drastically reduced the number of unserved parties.

9. As such, good cause exists to extend the time within which to timely serve process.

10. Accordingly, the Conservator respectfully requests that the Court extend the deadline for timely service of the Summons and Complaint upon the parties pursuant to Fla. R. Civ. P. 1070(j).

WHEREFORE, the Conservator requests that the Court enter an Order extending the deadline to serve process upon the parties in the above-styled action for approximately 30 days through and including October 28, 2013, pursuant to Fla. R. Civ. P. 1070(j), and granting such other relief as the Court deems just and proper.

Dated: September 26, 2013

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