

IN THE CIRCUIT COURT OF THE  
17<sup>th</sup> JUDICIAL CIRCUIT, IN AND  
FOR BROWARD COUNTY, FLORIDA

CASE NO. 12-028324 (07)  
COMPLEX LITIGATION UNIT

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

Plaintiff,

v.

ROBERTA P. ALVES, ET AL.,

Defendants.

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**THE CONSERVATOR AND THE MOSS PARTIES' STIPULATION TO EXTEND THE  
DEADLINE TO CONDUCT AND COMPLETE DISCOVERY**

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") and Burt and Susan Moss, Burt Moss and Associates, Inc., and Burton Harold Moss IRA (collectively, the "Moss Parties", together with Conservator, the "Parties"), by and through undersigned counsel, file this Stipulation to Extend the Deadline to Conduct and Complete Discovery (the "Stipulation"),<sup>1</sup> and in support thereof states as follows:

1. On or before July 2012, a dispute arose between the partners as to how the remaining assets of the Partnerships ought to be distributed. This instant Interpleader Action was commenced to, among other things, allow the Court to determine the proper distribution methodology of the Partnerships assets.

2. On May 31, 2013, the Conservator filed his Motion for Summary Judgment to (i) Approve Determination Claims; (ii) Approve Plan of Distribution, and (iii) Establish Objection Procedures (the "Distribution Motion").

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<sup>1</sup> This Stipulation is intended to only extend the discovery deadline in the instant Interpleader Action as between the Conservator and the Moss Parties. All other relevant discovery deadlines shall remain in effect.

3. On June 30, 2013, the Moss Parties filed an objection to the Distribution Motion (the “Moss Objection”).

4. On July 9, 2013 this Court entered its Case Management Order which set the deadline to conduct and conclude fact discovery for September 30, 2013.

5. The Conservator and the Moss Parties, with the assistance of counsel, have attempted to resolve certain disputes between the Parties.

6. The Conservator and the Moss Parties believe that extending the discovery deadline through and including November 1, 2013, to permit the Conservator to, among other things, conduct depositions of Burt and Susan Moss, will provide the Parties with an opportunity to better evaluate their respective positions.

7. Further, the Conservator and the Moss Parties believe that extending the discovery deadline will allow the Parties to narrow the number of issues before the Court for the trial in the instant Interpleader Action.

8. The Conservator and the Moss Parties do not believe that extending the discovery deadline will delay this Court’s consideration of the Distribution Motion or any trial in the Interpleader Action.

9. Accordingly, the Conservator and the Moss Parties enter this stipulation to extend the deadline for the Conservator to conduct discovery through and including November 1, 2013.

Respectfully submitted this September 26, 2013.

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