

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

CASE NO.: 12-034121 (07)  
Complex Litigation Unit

PHILIP J. VON KAHLE as Conservator of  
P&S ASSOCIATES, GENERAL  
PARTNERSHIP, and S&P ASSOCIATES,  
GENERAL PARTNERSHIP,

vs.

JANET A. HOOKER CHARITABLE TRUST, et al.,

Defendants.

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**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. In addition to that certain case styled *Matthew Carone, et. al. v. Michael D. Sullivan, individually*, Case No. 12-24051 (07) (the "Conservator Lawsuit"), the Partnerships are presently involved in the instant civil suit (the "Net Winners Lawsuit").

2. After review of certain of the available records, the Conservator discovered that certain parties in the Net Winners Lawsuit have not been served with the Summons and Complaint.

3. 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. Additional extensions have been granted.

4. The Conservator has expended considerable efforts to, among other things, to determine the proper and updated information necessary to obtain approximately 92 alias process and negotiate the terms of representation of the Partnerships in certain of the Lawsuits.

5. On May 7, 2013, the Clerk's Office issued approximately 137 summonses to the Conservator.

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

7. Despite Conservator's best efforts, certain parties remain unserved, due in part due dated contact information for the parties. However, the Conservator has drastically reduced the number of unserved parties.

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

9. 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 Net Winners Lawsuit for approximately 60 days through and including December 27, 2013, pursuant to Fla. R. Civ. P. 1070(j), and granting such other relief as the Court deems just and proper.

Dated: October 25, 2013

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