

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

CASE NO. 12-034123 (07)

PHILIP J. VON KAHLE, as Conservator of  
P&S Associates General Partnership and  
S&P Associates, General Partnership, et al.

Complex Litigation Unit

Plaintiffs,

vs.

MICHAEL D. SULLIVAN, et al.,

Defendants.

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**NOTICE OF JOINDER IN MOTION TO COMPEL  
PLAINTIFFS TO PRODUCE ALL COMMUNICATIONS WITH MICHAEL  
SULLIVAN AND HIS COUNSEL RELATED TO THE SETTLEMENT AGREEMENT**

Defendant, Michael Bienes, hereby files this Notice of Joinder, adopting and incorporating the arguments and grounds raised by Defendant, Frank Avellino, in his Motion to Compel Plaintiffs to Produce all Communications with Michael Sullivan and his Counsel Related to the Settlement Agreement filed with the Court on November 2, 2015 (the "Motion"), as though fully set forth herein.

**WHEREFORE**, Defendant, Michael Bienes, respectfully requests that this Court enter an order compelling Plaintiffs to provide all communications between themselves and their counsel and Michael Sullivan and his counsel in connection with the Settlement Agreement, including the communications more particularly addressed in the Motion, and grant any such other and further relief as the Court deems just and proper.

Dated this 5<sup>th</sup> day of November, 2015.

**BROAD and CASSEL**

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Respectfully submitted,

/s/ Shane P. Martin

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### **CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on November 5, 2015, the foregoing document was served via E-mail to: Thomas E. Messana, Esq., Thomas Zeichman, Messana, P.A., 401 East Las Olas Boulevard, Suite 1400, Ft. Lauderdale, FL 33301 ([tmessana@messana-law.com](mailto:tmessana@messana-law.com), [tmessana@bellsouth.net](mailto:tmessana@bellsouth.net), [mwslawfirm@gmail.com](mailto:mwslawfirm@gmail.com), [tzeichman@messana-law.com](mailto:tzeichman@messana-law.com)); Leonard K. Samuels, Esq., Etan Mar, Esq., Steven D. Weber, Esq., Berger Singerman LLP, 350 East Las Olas Boulevard, Suite 1000, Ft. Lauderdale, FL 33301 ([lsamuels@bergersingerman.com](mailto:lsamuels@bergersingerman.com), [vleon@bergersingerman.com](mailto:vleon@bergersingerman.com), [emark@bergersingerman.com](mailto:emark@bergersingerman.com), [lyun@bergersingerman.com](mailto:lyun@bergersingerman.com), [drt@bergersingerman.com](mailto:drt@bergersingerman.com), [sweber@bergersingerman.com](mailto:sweber@bergersingerman.com), [mvega@bergersingerman.com](mailto:mvega@bergersingerman.com), [zhyman@bergersingerman.com](mailto:zhyman@bergersingerman.com), [clamb@bergersingerman.com](mailto:clamb@bergersingerman.com)); Peter G. Herman, Esq., Tripp Scott, 110 S.E. 6<sup>th</sup> Street, 15<sup>th</sup> Floor, Ft. Lauderdale, FL 33301 ([pgh@trippscott.com](mailto:pgh@trippscott.com), [rep@trippscott.com](mailto:rep@trippscott.com), [ele@trippscott.com](mailto:ele@trippscott.com)); Paul V. DeBianchi, Esq., Paul V. DeBianchi, P.A., 111 S.E. 12<sup>th</sup> Street, Ft. Lauderdale, FL 33316 ([Debianchi236@bellsouth.net](mailto:Debianchi236@bellsouth.net)); Gary A. Woodfield, Esq., Susan B. Yoffee, Esq., Haile, Shaw & Pfaffenberger, P.A., 660 U.S. Highway One, Third Floor, North Palm Beach, FL 33408 ([gwoodfield@haileshaw.com](mailto:gwoodfield@haileshaw.com), [bpetroni@haileshaw.com](mailto:bpetroni@haileshaw.com), [eservices@haileshaw.com](mailto:eservices@haileshaw.com), [syoffee@haileshaw.com](mailto:syoffee@haileshaw.com), [cmarino@haileshaw.com](mailto:cmarino@haileshaw.com)); Matthew Triggs, Esq., Andrew Thomson, Esq. Proskauer Rose LLP, 2255 Glades Road, Suite 421 Atrium, Boca Raton, FL 33431 ([mtriggs@proskauer.com](mailto:mtriggs@proskauer.com), [athomson@proskauer.com](mailto:athomson@proskauer.com), [florida.litigation@proskauer.com](mailto:florida.litigation@proskauer.com)); Robert J. Hunt, Esq., Debra D. Klingsberg, Esq., Hunt & Gross, P.A., 185 Spanish River Boulevard, Suite 220, Boca Raton, FL 33431 ([bobhunt@huntgross.com](mailto:bobhunt@huntgross.com), [eservice@huntgross.com](mailto:eservice@huntgross.com), [Sharon@huntgross.com](mailto:Sharon@huntgross.com)) and Harry Winderman ([harry4334@hotmail.com](mailto:harry4334@hotmail.com)).

/s/ Shane P. Martin

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