

**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
Circuit Judge Jeffrey D. Streitfeld

Plaintiffs,

vs.

ROBERTA P. ALVES, ET AL.,

Defendants,

DEFENDANTS BURT MOSS, SUSAN MOSS, BURT MOSS & ASSOCIATES, INC., AND BURTON HAROLD MOSS IRA'S ANSWER TO FOURTH AMENDED COMPLAINT

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Pursuant to Florida Rule of Civil Procedure 1.140, Defendants and Interested Parties **BURT MOSS** (“B. Moss”), **SUSAN MOSS** (“S. Moss”), **BURT MOSS & ASSOCIATES, INC.** (“BMA 401K”), and **BURTON HAROLD MOSS IRA** (“B. Moss IRA”)(collectively, B. Moss, S. Moss, BMA 401K, and B. Moss IRA shall be referred to hereinafter as the “Moss Parties”), by and through the undersigned counsel, hereby files their Answer to Philip J. von Kahle’s (the “Conservator” for P&S Associates, General Partnership (“P&S”) and S&P Associates, General Partnership (“S&P”)(collectively, P&S and S&P shall be referred to hereinafter as the “Partnerships”)) Fourth Amended Complaint, and, in support thereof, alleges:

1. The Moss Parties have entered a stipulation with the Conservator that resolves the issues alleged in the Fourth Amended Complaint relating to the Moss Parties.
2. The Moss Parties admit that this Court has jurisdiction over the subject matter of the action, personal jurisdiction over the Moss Parties, and that venue is appropriate, and that they are identified in paragraphs 304, 305, 306, and 451 of the Fourth Amended Complaint.

3. The Moss Parties are without knowledge sufficient to admit or deny the remaining allegation of the Fourth Amended Complaint in paragraphs 3 – 303, 307 – 450, and 452 – 542.

WHEREFORE, Defendants and Interested Parties **BURT MOSS, SUSAN MOSS, BURT MOSS & ASSOCIATES, INC., and BURTON HAROLD MOSS IRA** respectfully request the Court (i) award the relief provided for in the Stipulation entered between the Moss Parties and the Conservator, (ii) grant the Moss Parties the right to seek reimbursement of their fees and costs if an appropriate basis exists for the same under contract or law, and (iii) orders such other and further relief as the Court deems just and proper.

Dated: December 13, 2013
Boca Raton, Florida

Respectfully Submitted,

SCHOEPPL & BURKE, P.A.

*Counsel for Defendants Burt Moss, Susan Moss,
Burt Moss & Associates, Inc., and Burton Harold
IRA*

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By: s/Carl F. Schoeppl

Carl F. Schoeppl
Fla. Bar No.: 818518

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served in the manner provided upon the persons listed below on this 13th day of December, 2013.

By: s/Carl F. Schoeppl

Carl F. Schoeppl, Esq.

Party	Method of Service	Name, Address, Telephone, and Facsimile of Party's Counsel
<i>Conservator for P&S Associates, General Partnership and S&P Associates, General Partnership</i>	Electronic Service Via Florida Courts E-Filing Portal	Thomas M. Messana, Esq. Messana, P.A. 401 East Las Olas Boulevard, Suite 1400 Fort Lauderdale, Florida 33301 Telephone: (954) 712-7400 Facsimile: (954) 712-7401 Email: tmessana@messana-law.com

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