

IN THE CIRCUIT COURT OF THE 17TH
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,

vs.

ROBERTA P. ALVES, ET AL.,

Defendants.

MOTION FOR EXTENSION OF TIME

Defendant, WAYNE HORWITZ, as Trustee of the Howard H. & Joyce Horwitz Living Trust, hereinafter "Defendant", by and through his undersigned counsel, hereby respectfully moves this Court for the entry of an Order extending the time in which to respond to the Plaintiffs', P & S ASSOCIATES, GENERAL PARTNERSHIP and S & P ASSOCIATES, GENERAL PARTNERSHIP, hereinafter "Plaintiffs", Third Amended Complaint filed herein, and in support thereof states:

1. The Defendant was served with the Plaintiffs' Third Amended Complaint herein on or about August 5, 2013. Therefore, a response to the Third Amended Complaint would have been due on or about August 26, 2013.

2. Undersigned counsel has been involved in numerous other matters which have substantially interfered with his ability to adequately prepare appropriate responses. In addition, he is out of the country until September 3, 2013.

3. As such, the undersigned has been unable to properly prepare the responsive pleading required, and would accordingly request an extension of twenty (20) days in which to respond to the Third Amended Complaint filed herein.

4. This is the Defendant's first request for an extension herein as to the Third Amended Complaint, and this motion is not brought for purposes of harassment or delay. Further, its grant should not prejudice the Plaintiffs herein.

WHEREFORE, Defendant, WAYNE HORWITZ, as Trustee of the Howard H. & Joyce Horwitz Living Trust, respectfully requests a twenty (20) day extension of time in which to respond to the Plaintiffs' Third Amended Complaint, together with awarding Defendant such other and further relief as this Court deems just, equitable and proper.

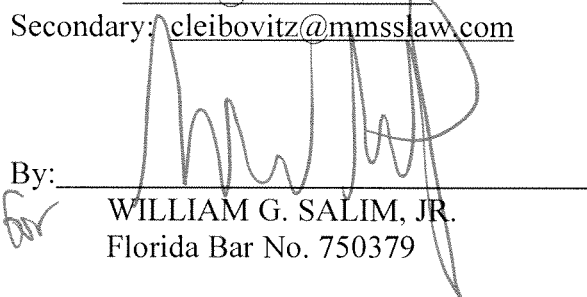
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by e-mail this 27th day of August, 2013 to the following:

Helen Davis Chaitman, Esq.
Becker & Poliakoff, LLP
45 Broadway, 8th Floor
New York, NY 10006
E-mail: hchaitman@becker-poliakoff.com
Attorney for Partnerships

Peter Smith, Esq.
Becker & Poliakoff, LLP
45 Broadway, 8th Floor
New York, NY 10006
E-mail: psmith@becker-poliakoff.com
Attorney for Partnerships

MOSKOWITZ, MANDELL, SALIM &
SIMOWITZ, P.A.
Attorneys for Howard H. & Joyce Horwitz
Living Trust
800 Corporate Drive, Suite 500
Fort Lauderdale, FL 33334
Telephone: (954) 491-2000
Facsimile: (954) 491-2051
E-mail: wsalim@mmsslaw.com
Secondary: cleibovitz@mmsslaw.com

By: 
WILLIAM G. SALIM, JR.
Florida Bar No. 750379