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December 19, 2013

BY HAND DELIVERY

Hon. Jeffrey E. Streitfeld
Broward County Courthouse
201 S.E. 6th Street
Room 920A
Fort Lauderdale Fl, 33301

Re: *P&S Associates et al. v. Janet A. Hooker Charitable Trust, et al.*,
Case No. 1234121(07)

Dear Judge Streitfeld:

We represent the Plaintiffs in the above-referenced action. We respectfully write to submit the enclosed proposed Case Management Order to govern this action, to which no party has objected.

On December 11, 2013, we circulated a copy of the proposed Case Management Order to counsel for all Defendants, and only counsel for Defendant Herbert Irwig Revocable Trust ("Defendant Irwig") raised any objections to its contents. To the extent that any other Defendants responded to the proposed Case Management Order, they joined in his objections.

On December 16, 2013, we came to a resolution of all issues raised by Defendant Irwig, and a new proposed Case Management Order was circulated to Defendants. There have been no objections to this proposed Case Management Order.

Accordingly, please find the enclosed proposed Case Management Order for your consideration. Thank you for your consideration of this matter.

Sincerely,

Berger Singerman LLP



Zachary Paul Hyman

ZPH/cl

Enclosure

cc: All counsel of record (by e-mail)

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

**Case No: 12-034121(04)
Complex Litigation Unit**

P&S ASSOCIATES, GENERAL PARTNERSHIP,
et. al.,
Plaintiffs,

vs.
JANET A. HOOKER CHARITABLE TRUST,
et al.,
Defendants.

CASE MANAGEMENT ORDER

THIS CAUSE came before the court on December 6, 2013, for a Case Management Conference pursuant to the Court's notice and order. Pursuant to Rule 6.5 of the Complex Litigation Procedures, it is

THEREFORE, ORDERED AND ADJUDGED that unless later modified by order of this court, the following schedule of events shall control the management and proceedings in this case.

COMMUNICATION WITH THE COURT AND AMONG THE PARTIES

1. The parties are represented by the following who shall be designated "Lead Trial Counsel":

Leonard Samuels for Plaintiffs;

Eric N. Assouline, for Defendant Ersica P. Gianna;

Joseph P. Klapholz, for Defendant Abraham Newman, Rita Newman and Gertrude Gordan;

Marc S. Dobin, for Defendant Congregation of the Holy Ghost – Western Providence;

Julian H. Kreeger for Defendants James and Valerie Judd;

Michael R. Casey for Defendants Janet B. Molchan Trust, Alex Molchan Trust, and Susan Molchan;

Thomas Goodwin and Joanne Wilcomes for Defendants Holy Ghost Fathers HG-Ireland/Kenema; Holy Ghost Fathers International Fund # 1, Holy Ghost Fathers International Fund #2; Holy Ghost Fathers Compassion Fund; Holy Ghost Fathers HG-Mombasa;

Daniel W. Matlow for Defendant Herbert Irwig Revocable Trust;

Michael C. Foster for Defendant Ettöh Ltd.;

Richard T. Woulfe for Defendant Robert A, Uchin Revocable Trust;

Thomas L. Abrams, for Defendant Sam and Edith Rosen;

Ryon M. McCabe for Defendant Catherine Smith; and

Robert J. Hunt for Defendant Hampton Financial Group.

Additional counsel may appear on behalf of the parties in this action.

2. **Courtesy copies of all motions and memoranda related thereto shall be delivered to the court immediately upon being filed with the Clerk of the Court.** All communications with the Court must be delivered to the following address:

The Honorable Jeffrey E. Streitfeld
201 S.E. 6th Street
Room 920A
Fort Lauderdale, Florida 33301

MOTIONS, DISCOVERY, ALTERNATIVE DISPUTE RESOLUTION AND TRIAL

3. Any motions for leave to amend the pleadings to add additional parties or otherwise, shall be filed no later than January 17, 2014.

4. Any motions to compel arbitration shall be filed on or before December 19, 2013, with Responses due on or before January 3, 2014. A hearing on the issue of the motions to compel arbitration shall occur on January 10, 2014.

5. Any motions to dismiss or other preliminary or pre-discovery motions shall be filed on or before December 19, 2013. All Responses to any such motions shall be filed by January 24, 2014, and Replies to Responses shall be filed by February 3, 2014. A hearing on any motions to dismiss or other preliminary pre-discovery motions shall be heard on February 7, 2014.

6. Any motions for summary judgment raising the defense of statute of limitations shall be filed on or before February 14, 2014 with all Responses to any such motions due on or before March 21, 2014. All Replies to any Responses shall be due on or before March 31, 2014. A hearing on any motions for summary judgment raising the defense of statute of limitations shall be on April 4, 2014.

7. The parties have stipulated and it is ordered that this case shall be ready for trial in August, 2014.

8. Except to the extent that the time periods for the parties to file and respond to certain motions are set by this Order, the parties are directed to comply in all respects with the Complex Litigation Procedures located at: www.17th.flcourts.org.

9. The jury trial of this case shall occur during the 3rd Quarter 2014 trial period beginning June 30, 2014 with **Calendar Call** on Friday June 13, 2014. The parties estimate the trial will be completed in 3 days.

10. The Final Case Management Conference is scheduled for June 6, 2014 at 1:30 p.m. in Courtroom _____. The parties shall prepare and provide at the final case management conference a joint pre-trial statement complying with CLP 9.2.

11. The parties shall have until March 28, 2014 to conduct and conclude fact discovery. It is further ordered that the setting of the discovery deadline will not limit any party

from filing summary judgment motions during the period, but any such motions should be narrowly drawn to address only issues on which discovery has been completed. The briefing schedule for any motions for summary judgment raising the defense of statute of limitations shall be set by paragraph 4 of this Order.

12. In all respects, the presumptive limitations on discovery contained in the Complex Litigation Division Procedures shall apply.

13. The plaintiff(s) shall designate any expert expected to be called at trial and provide all information specified in CLP 7.5 by January 31, 2014. The defendant(s) shall designate any expert expected to be called at trial and provide all information specified in CLP 7.5 by February 21, 2014.

14. A third party responding shall then designate its experts and provide all information specified in CLP 7.5 by February 28, 2014.

15. Summary judgment motions, except for any summary judgment motions raising the defense of statute of limitations (which are governed by paragraph 6), shall be filed by April 18, 2014.

16. Motions *in limine* shall be filed by July 25, 2014.

17. The parties shall mediate this dispute before July 11, 2014 with the mediator of their choice. Plaintiff shall advise the Court of the precise date of the mediation no later than one week beforehand. Plaintiff is ordered to advise the court, in writing, of the outcome of the mediation no later than five (5) days following the conclusion of the mediation conference (optional).

18. If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain

assistance. Please contact the court's ADA Coordinator, Broward County Courthouse, 201 S.E. 6th Street, Fort Lauderdale, FL 33301, 954.831.7743 within two (2) working days of your receipt of this order. If you are hearing or voice impaired, call 954.831.7743.

DONE AND ORDERED in chambers at Broward, Florida this ____ day of December, 2013.

CIRCUIT COURT JUDGE

cc:
counsel of record/parties pro se