



KRINZMAN HUSS & LUBETSKY

Attorneys at Law

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PLEASE REPLY TO: FORT LAUDERDALE

110 SOUTHEAST 6TH STREET
20TH FLOOR
FORT LAUDERDALE, FL 33301
TELEPHONE 954.761.3454
FACSIMILE 954.761.3484

September 13, 2012

VIA U.S. MAIL:

Brian K. Hole, Esq.
Holland & Knight, LLP
515 Las Olas Blvd., Suite 1200
Ft. Lauderdale, FL 33301

Michael S. Tobin, Esq.
Rothman & Tobin, P.A.
11900 Biscayne Blvd., Suite 740
Miami, FL 33181

RE: Mediations on Friday, October 19th, 2012

Broward County Case No.: 11-028447

Broward County Case No.: 12-013597

Dear Counsel:

This letter will confirm your engagement of Joseph J. Huss to serve as mediator in the above-referenced matter. If a Stipulation to Mediate is entered by the parties, these terms of engagement should be incorporated by reference and considered controlling. In the event a judicial order to mediate is entered, this agreement shall constitute your waiver of inconsistent terms and acceptance of the following.

The mediations will be held at **9:00 a.m. and 11:00 a.m. on Friday, October 19, 2012**, at the offices of Hollander & Knight located at **515 East Las Olas Blvd., Suite 1200, Fort Lauderdale, Florida 33301**. If the above date and time are not correct, it is imperative that you contact our office immediately upon receipt of this letter as our calendars are booked well in advance.

Compensation for Mr. Huss' services will be charged in this matter at a rate of \$300.00 per hour, plus costs. There is a minimum charge of one (1) hour in the event that mediation is cancelled within 48 hours of the scheduled mediation date. Otherwise, the minimum charge for this mediation will be for four (4) hours with a half (½) hour administrative charge for a total of four and a half (4.5) hours, if split between both parties, total will be **\$675.00 each**, unless specified by the court **or mediation exceeds two hours**. This hourly fee will reflect the time spent for; preparation, travel, mileage, hotel, meals, the mediation conference, and any subsequent negotiations. **Mr. Huss requires a firm operating account check, cashier's check, money order, or cash, payable to Krinzman, Huss, & Lubetsky, L.L.P. (ATM in our building) as payment for services**

Brian K. Hole, Esq.
Michael S. Tobin, Esq.
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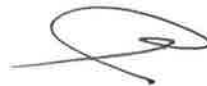
rendered. All payments are due *prior* to the start of the mediation. Please note, Mr. Huss reserves the right to cancel the mediation if payment in full is not received by all parties prior to or at the scheduled mediation.

At the conclusion of the mediation, you will receive an itemized bill for services rendered for the mediation. While it is understood that Mr. Huss' invoice may be subject to reimbursement from your client, or even forwarded to your client for direct payment, please understand this engagement is with your offices and has been accepted in reliance upon Mr. Huss' relationship with you and your firm. Therefore, your firm will be responsible for payment in the event that your client fails to make payment.

This mediation will be conducted in accordance with Rule 1.700, et. seq. and Chapter 44, Florida Statutes. We request that you provide a mediation summary to our office prior to this mediation conference, and require that those attending the mediation conference have full authority to settle the case.

Please contact our office should you have any questions or if any of these terms do not reflect your understanding of our agreement to mediate this dispute. We appreciate this opportunity and look forward to working with you.

Sincerely,

A handwritten signature in dark ink, appearing to be 'J. Huss', with a stylized loop and a horizontal line extending to the left.

Joseph J. Huss

JJH/ac

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

CASE NO.: 12-013597 (18)

Comerica Bank,

Plaintiff,

vs.

Tropic Ranch, Inc., et. al.,

Defendant(s).

NOTICE OF MEDIATION

DATE AND TIME: Friday, October 19, 2012 at 11:00 a.m.

LOCATION: Hollander & Knight
515 East Las Olas Blvd., Suite 1200
Fort Lauderdale, Florida 33301

MEDIATOR: Joseph J. Huss, Esq.

***TWO HOURS HAVE BEEN RESERVED FOR THE MEDIATION.
IF YOU THINK YOU WILL NEED MORE TIME, PLEASE CALL US IMMEDIATELY.**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been provided via U.S. Mail this 14th day of September 2012, to: **Brian K. Hole, Esq.**, Holland & Knight, LLP, 515 Las Olas Blvd., Suite 1200, Ft. Lauderdale, FL 33301; **Michael S. Tobin, Esq.**, Rothman & Tobin, P.A., 11900 Biscayne Blvd., Suite 740, Miami, FL 33181.

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Telephone: (954) 761-3454
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By: 
JOSEPH J. HUSS
Certified Court Mediator