

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

COMERICA BANK,
a Texas banking association,

CASE NO. 11-028447 (03)

Plaintiff,

vs.

OCEAN 4660, LLC a Florida limited
liability company, OCEANSIDE
LAUDERDALE, INC., a Florida
corporation, KENNETH A. FRANK,
individually, ANGELA DIPILATO,
individually, TOWN OF LAUDERDALE-
BY-THE-SEA, a political subdivision of the
State of Florida, WASTE MANAGEMENT
INC. OF FLORIDA d/b/a SOUTHERN
SANITATION SERVICE, a Florida
corporation, AFFINITY MECHANICAL
INC., a Florida corporation, and
BROWARD COUNTY, a political
subdivision of the State of Florida,

Defendants.

_____ /

NOTICE OF HEARING
"THIS HEARING WAS SCHEDULED USING THE
ONLINE CALENDAR SCHEDULING SYSTEM"

YOU ARE HEREBY NOTIFIED that we shall call up for hearing before the
Honorable Mily Rodriguez Powell, one of the judges of the above-styled Court, in his
Chambers at the **Broward County Courthouse, 201 Southeast Sixth Street, Room 998, Fort**
Lauderdale, Florida 33301, on **Tuesday, August 28, 2012 at 8:45 a.m.**, or as soon thereafter as
we may be heard:

DEFENANT FRANK'S MOTION TO DISMISS COMPLAINT FOR LACK OF
JURISDICTION OVER THE DEFENDANT, LACK OF STANDING AND
ALTERNATIVE MOTION TO STRIKE THE COMPLAINT, AND TO QUASH
SERVICE OF PROCESS WITH INCORPORATED MEMORANDUM OF LAW

PLEASE BE GOVERNED ACCORDINGLY.

CERTIFICATE OF GOOD FAITH

I hereby certify that I have made a good faith attempt to resolve this matter prior to my noticing this motion for hearing, and the issues before the Court may be heard and resolved by the court within five (5) minutes.

IMPORTANT

"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 ADA Coordinator, Room 470, 201 S.E. Sixth Street, Fort Lauderdale, Florida 33301, 954-831-7721 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711"

Holland & Knight LLP

Counsel for Plaintiff

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By: 

Brian K. Hole

Florida Bar No.: 0019968

Nicole C. Velasco

Florida Bar No.: 0028585

Joshua R. Levenson

Florida Bar No.: 0056208

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of August, 2012, a copy of the foregoing document is being served this day on all counsel of record or *pro se* parties identified on the Service List below in the authorized manner specified.




Joshua R. Levenson

Florida Bar No.: 0056208

SERVICE LIST

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Charmaine J. Comprosky, Esq. LAW OFFICE OF CHARMAINE J. COMPROSKY, P.A. 2310 East Atlantic Boulevard, Suite 204 Pompano Beach, Florida 33062 <i>Counsel for Oceanside Lauderdale, Inc.</i> <i>Via U.S. Mail</i>	Kenneth A. Frank 2310 East Atlantic Boulevard, Suite 206 Pompano Beach, FL 33062 Phone: (914) 563-4510 Fax: (954) 786-2785 <i>Via facsimile and U.S. Mail</i>

Waste Management of Florida d/b/a Southern Sanitation Service c/o Registered Agent, CT Corporation System 1200 South Pine Island Road Plantation, FL 33324 <i>Via U.S. Mail</i>	Affinity Mechanical Inc. c/o Edward J. Bender, Registered Agent 2805 E. Oakland Park Boulevard, #144 Fort Lauderdale, FL 33306 Phone: (954) 332-8363 Fax: (954) 688-2524 <i>Via U.S. Mail</i>
Angela Dipilato 2310 East Atlantic Boulevard, Suite 206 Pompano Beach, FL 33062 <i>Via U.S. Mail</i>	Angela Dipilato 1323 S.E. 3rd Avenue Pompano Beach, FL 33060 <i>Via U.S. Mail</i>
Motion Elevator, Inc. c/o Registered Agent, Rose Portelli 5915 Park Drive Margate, FL 33063 <i>Via U.S. Mail</i>	Rose Portelli 5915 Park Drive Margate, FL 33063 <i>Via U.S. Mail</i>
Euro Fist Choice Enterprises, Inc. c/o Registered Agent, Michal Holovka 1261 S.E. 7 th Avenue Pompano Beach, FL 33060 <i>Via U.S. Mail</i>	Michal Holovka 1261 S.E. 7th Avenue Pompano Beach, FL 33060 <i>Via U.S. Mail</i>

 17th Judicial Circuit	
Case Schedule Receipt:	
Sequence Number:	19
Judge Name:	Rodriguez-Powell, Mily
Case Number:	CACE11028447
Schedule Date:	08/28/2012
Scheduling Attorney Name:	Nicole, Christine, Velasco
Motion Title:	Defendant Frank's Motion to Dismiss Complaint for Lack of Jurisdiction Over the Defendant, Lack of Standing and Alternative Motion to Strike the Complaint, and to Quash Service of Process with Incorporated Memorandum of Law
Case Entry Date:	Wed Aug 01 09:56:42 EDT 2012
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