

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 211, Fort
Lauderdale, Florida 33301**, on **Wednesday, May 30, 2012 at 8:45 a.m.**, or as soon thereafter
as we may be heard:

PLAINTIFF'S AMENDED MOTION FOR LEAVE TO AMEND COMPLAINT

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

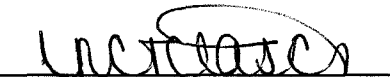
Counsel for Plaintiff

515 East Las Olas Boulevard, Suite 1200

Fort Lauderdale, FL 33301

Tel: (954) 525-1000; Fax: (954) 463-2030

By: _____



Brian K. Hole

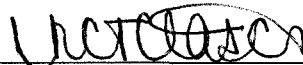
Florida Bar No.: 0019968

Nicole C. Velasco

Florida Bar No.: 0028585

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 10th day of May, 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.




Nicole C. Velasco
Florida Bar No.: 0028585

SERVICE LIST

| | |
|---|--|
| Krystol L. Rappuhn, Esq. 55 E. Long Lake Road, Suite 204 Troy, Michigan 48085-4738 (248) 645-5400 - Office (313) 319-0743 - Cellular (248) 879-3124 - Facsimile krystol_rappuhn@yahoo.com <i>Co-Counsel for Ocean 4660, LLC</i> <i>Via facsimile and U.S. Mail</i> | Michael Tobin, Esq. Rothman & Tobin, P.A. 11900 Biscayne Boulevard, Suite 740 Miami, Florida 33181 Phone: (305) 895-3225 Fax: (305) 895-7175 <i>Co- Counsel for Ocean 4660, LLC</i> <i>Via facsimile and U.S. Mail</i> |
| Eduardo M. Soto, Esq. Weiss Serota Helfman Pastoriza Cole & Boniske, P.L. 2525 Ponce de Leon Blvd., Suite 700 Coral Gables, FL 33134 Phone: (305) 854-0800 Fax: (305) 854-2323 <i>Counsel for Town of Lauderdale-By-The-Sea</i> <i>Via facsimile and U.S. Mail</i> | Maya A. Moore, Esq. Joni Armstrong Coffey, Esq. County Attorney for Broward County Office of the County Attorney Governmental Center, Suite 423 115 South Andrews Avenue Fort Lauderdale, FL 33301 Phone: (954) 357-7600 Fax: (954) 357-7641 <i>Counsel for Broward County</i> <i>Via facsimile and U.S. Mail</i> |
| Oceanside Lauderdale, Inc. 2310 East Atlantic Boulevard, Suite 206 Pompano Beach, FL 33062 <i>Via U.S. Mail</i> | Kenneth A. Frank 2310 East Atlantic Boulevard, Suite 206 Pompano Beach, FL 33062 <i>Via U.S. Mail</i> |

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|---|--|
| 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> |

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|  17th Judicial Circuit | |
| Case Schedule Receipt: | |
| Sequence Number: | 11 |
| Judge Name: | Rodriguez-Powell, Mily |
| Case Number: | CACE11028447 |
| Schedule Date: | 05/30/2012 |
| Scheduling Attorney Name: | Nicole, Christine, Velasco |
| Motion Title: | Plaintiff's Amended Motion for Leave to Amend Complaint |
| Case Entry Date: | Thu May 10 14:47:03 EDT 2012 |
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