

IN THE CIRCUIT COURT OF THE  
17<sup>TH</sup> JUDICIAL CIRCUIT IN AND  
FOR BROWARD COUNTY, FLORIDA

COMERICA BANK,  
a Texas banking association,

*Plaintiff,*

v.

OCEAN 4660, LLC., a Florida limited  
liability company, *et. al.*

*Defendants.*

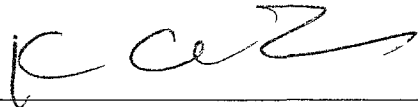
CASE NO.: CACE 11- 028447(03)

2012 SEP 18 AM 9:50

- NOTICE OF APPEAL -

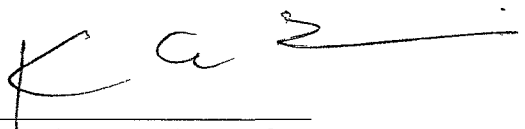
**KENNETH A. FRANK**, takes and enters his Appeal to the Court of Appeals of Florida, 4<sup>th</sup> District to review the ORDER(S) of the Circuit Court for the 17<sup>th</sup>. Judicial Circuit In and For Broward County, Florida, bearing the date of August 28, 2012, the nature of the ORDER(S) Appealed from is Order granting Plaintiff's Ex Parte Motion to Compel Answers to Interrogatories and Production of Documents from Defendant and Order denying Defendant Kenneth Frank's Motion to Dismiss Complaint for Lack of Jurisdiction over the Defendant and Lack of Standing

All parties to said cause are called upon to take Notice of the Entry of this Appeal.

  
Kenneth A. Frank, *Pro Se*  
- Appellant -

**I HEREBY CERTIFY THAT I HAVE FURNISHED COPIES TO ALL PARTIES TO THIS SUIT.**

I hereby certify that a copy of the foregoing has been sent to HOLLAND & KNIGHT, LLP., Brian Hole, Esq., attorney for Plaintiff Comerica Bank, by U.S. Mail to 515 East Las Olas Boulevard, SunTrust Center Suite 1200, Fort Lauderdale, Florida 33302, this 17<sup>th</sup> day of September, 2012.

  
Kenneth A. Frank, *Pro Se*

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Pompano Beach, Florida 33062  
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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.

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**ORDER ON PLAINTIFF'S EX PARTE MOTION TO COMPEL ANSWERS TO  
INTERROGATORIES AND PRODUCTION OF DOCUMENTS FROM DEFENDANT**

THIS MATTER came before the Court on Plaintiff Comerica Bank's ("Plaintiff") Ex Parte Motion to Compel Answers to Interrogatories and Production of Documents from Defendant Kenneth A. Frank, and the Court has read the moving papers, is well advised in the premises, and finds there is good and sufficient cause for Plaintiff's Ex-Parte Motion to Compel.

Accordingly, it is **ORDERED AND ADJUDGED** that:

1. Plaintiff's Ex-Parte Motion to Compel is **GRANTED**.

2 Defendant Kenneth A Frank shall answer, **without objection**, Plaintiff's First Set of Interrogatories and shall produce, **without objection**, documents responsive to Plaintiff's First Request for Production, both dated July 10, 2012

3 Defendant Kenneth A Frank shall serve Plaintiff with such answers and documents within ten (10) days from the date of this Order

DONE AND ORDERED in Chambers in Broward County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2012

CIRCUIT COURT JUDGE

AUG 28 2012

Copies to

Krystol L Rappuhn, Esq 55 E Long Lake Road, Suite 204 Troy, Michigan 48065-4738 <i>Co-Counsel for Ocean 4660 LLC</i> <b>By regular U.S. Mail</b>	Michael Tobin, Esq Rothman & Tobin P A 11900 Biscayne Boulevard Suite 740 Miami, Florida 33181 <i>Co-Counsel for Ocean 4660, LLC</i> <b>By regular U.S. Mail</b>
Eduardo M Soto, Esq Weiss Serota Helfman Pastoriza Cole & Bonske P L 2525 Ponce de Leon Blvd, Suite 700 Coral Gables, FL 33134 <i>Counsel for Town of Lauderdale-By-The-Sea</i> <b>By regular U.S. Mail</b>	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 <i>Counsel for Broward County</i> <b>By regular U.S. Mail</b>
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> <b>By regular U.S. Mail</b>	Kenneth A Frank 2310 East Atlantic Boulevard, Suite 206 Pompano Beach, FL 33062 <b>By regular U.S. Mail</b>
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 <b>By regular U.S. Mail</b>	Affinity Mechanical Inc c/o Edward J Bender, Registered Agent 2805 E Oakland Park Boulevard, #144 Fort Lauderdale, FL 33306 <b>By regular U.S. Mail</b>

A True Copy

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, et al.

Defendants.

**ORDER ON KENNETH A. 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**

**THIS MATTER** came before the Court on Tuesday, August 28, 2012 upon Defendant Kenneth A. 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" (the "Motion."). The Court has reviewed the Motion, heard argument of all parties, and is otherwise fully advised in the premises.

Accordingly, it is **ORDERED** and **ADJUDGED** that the Motion is:

*Denied. An Answer shall be filed within  
20 days of this order.*

**DONE AND ORDERED** in Chambers, in Broward County, Florida, on this 28 day of  
August 2012.

MILY RODRIGUEZ POWELL

*Mily R. Powell*

CIRCUIT COURT JUDGE

cc Service List Attached

AUG 28 2012

A TRUE COPY!