

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,

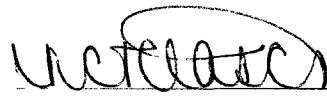
Defendants.

**NOTICE OF FILING MICHAEL F. KANE'S ORIGINAL
AFFIDAVIT OF DILIGENT SEARCH AND INQUIRY**

Plaintiff Comerica Bank hereby files the Michael F. Kane's original Affidavit of Diligent
Search and Inquiry.

Dated: January 20, 2012

HOLLAND & KNIGHT, LLP
Counsel for Plaintiff
515 East Las Olas Boulevard, Suite 1200
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(954) 525-1000
(954) 463-2030

By: 
Brian K. Hole
Florida Bar No. 019968
Nicole C. Velasco
Florida Bar No. 0028585

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that on this 20th day of January, 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 by regular U.S. Mail.



Brian K. Hole
Florida Bar No. 019968
Nicole C. Velasco
Florida Bar No. 0028585

SERVICE LIST

Krystol L. Rappuhn, Esq. 55 E. Long Lake Road, Suite 204 Troy, Michigan 48085-4738 <i>Co-Counsel for Ocean 4660, LLC</i>	Michael Tobin, Esq. Rothman & Tobin, P.A. 11900 Biscayne Boulevard, Suite 740 Miami, Florida 33181 <i>Co- Counsel for Ocean 4660, LLC</i>
William Watson Trick, Jr., Esq. William Watson Trick, Jr., P.A. 1216 E. Atlantic Boulevard, Suite 7 Pompano Beach, FL 33060 <i>Counsel for Oceanside Lauderdale, Inc. and Kenneth A. Frank</i>	Eduardo M. Soto, Esq. Weiss Serota Helfman Pastoriza Cole & Boniske, P.L. 2525 Ponce de Leon Blvd., Suite 700 Coral Gables, FL 33134 <i>Counsel for Town of Lauderdale-By-The-Sea</i>
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>	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
Affinity Mechanical Inc. c/o Edward J. Bender, Registered Agent 2805 E. Oakland Park Boulevard, #144 Fort Lauderdale, FL 33306	

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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.

AFFIDAVIT OF DILIGENT SEARCH AND INQUIRY

STATE OF FLORIDA)
COUNTY OF BROWARD)

BEFORE ME, the undersigned authority duly appeared Michael F. Kane, Investigative
Consultant of Holland & Knight LLP, who, after being duly sworn, deposed and stated as
follows:

1. At the request of Brian K. Hole, Esq., in mid December 2011 I conducted an
investigation, including the querying of public data bases, in an effort to ascertain the current
whereabouts of Angela Dipilato ("Dipilato"). Unfortunately that effort only identified former
addresses where process servers had attempted and failed to serve her.

2. The last known residential address of Dipilato was 1035 S. Riverside Drive, Pompano Beach, FL 33062. Other local addresses identified as associated with her are 1323 S.E. 3rd Avenue, Pompano Beach, FL 33060-9325 and 2310 East Atlantic Boulevard, Suite 206, Pompano Beach, FL 33062. On various dates process servers attempted to serve process on her at these addresses only to determine that she was no longer residing or working at any of these locations.

3. On December 20, 2011, a private investigator conducted surveillance at 1011 W. Heritage Club Circle, Delray Beach, FL 33483, the address of Dipilato's brother, Richard Burgess, with the expectation that Dipilato would be observed arriving or leaving that location. She was not observe at that location during this surveillance.

4. On January 12, 2012 I met with Burgess at the aforementioned address. After identifying myself and explaining the reason I wanted to contact his sister Burgess advised that he was not in touch with her nor did he have a current phone number for her. He added that the last place he knew her to reside was the S. Riverside Drive address mentioned above. Before terminating this meeting Burgess said he would call their father and other relatives in and effort to locate Dipilato and ask her to call either me or attorney Hole. To date she has not contacted either of us.

5. More recently I have attempted to contact her former husband George Dipilato, residing in Hopewell Junction, New York, to no avail. I have also placed calls to telephone numbers both in Broward County, Florida and in the State of New York that I believe are/were associated with Dipilato and/or her relatives. Some of those numbers were disconnected. In the case where a number was active, I left a voice message identifying myself and asking that Dipilato return my call. To date my calls have not been returned.

6. Despite this diligent search and inquiry, the whereabouts of Dipilato remain unknown to me.

7. Upon information and belief, Dipilato is over the age of eighteen (18).

8. After diligent search and inquiry for any forwarding addresses, Dipilato could not be found for service of process of the Complaint for Foreclosure and Notice of Lis Pendens.

FURTHER AFFIANT SAYETH NAUGHT.


Michael F. Kane

STATE OF FLORIDA)
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this 20th day of January, 2012,
by Michael F. Kane, who is personally known to me or has produced
_____ as Identification.

(SEAL)



Notary Public-State of Florida

