

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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**PLAINTIFF'S MOTION TO EXPEDITE HEARING ON  
MOTION FOR AN ORDER SEQUESTERING RENTS**

Plaintiff, Comerica Bank ("Plaintiff"), hereby moves this Court for an order that expedites the setting of Plaintiff's Motion for an Order Sequestering Rents for a date earlier than June 3, 2013. In support of this Motion, Plaintiff states as follows:

1. Plaintiff's Motion for an Order Sequestering Rents was filed on January 7, 2013 and earliest date the Parties were able to secure for a hearing was June 3, 2013.

2. An expedited hearing is required because, as articulated in Plaintiff's Motion for an Order Sequestering Rents, Plaintiff's security interest<sup>1</sup> is at risk of being impaired.


3. Indeed, the various defaults articulated in Plaintiff's Motion for an Order Sequestering Rents, if not remedied soon, may become incurable.

WHEREFORE, Plaintiff respectfully requests that this Court: grant this motion; expedite the hearing date on its Motion for an Order Sequestering Rents; and grant any other relief this Court deems necessary and equitable.

Dated: January 22, 2013.


Respectfully Submitted,

**HOLLAND & KNIGHT LLP**  
Counsel for Comerica Bank  
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By:   
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**CERTIFICATE OF SERVICE**

I hereby certify that on **January 22, 2013**, a true and correct copy of the foregoing was served on all parties on the Service List below in the manner specified.

  
Joshua R. Levenson  
Fla. Bar No. 0056208

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<sup>1</sup> Pursuant to the Mortgage (defined in Complaint) and as security for payment of the Notes (defined in Complaint), respectively, in addition to the mortgaged property Defendant has pledged, transferred, and assigned to Plaintiff all rents, revenues, issues, income, products, and profits in any manner arising from the mortgaged property.

## SERVICE LIST

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