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**STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS**

DONALD AND LORRAINE HOSTEN.

Petitioner(s),

v.

OAKS CLUB CORPORATION,

Respondent(s).

**Case No: 12-0327
2012H0057
04-11-1180-8**

MOTION FOR CLARIFICATION

On February 24, 2012, **PETITIONERS, DONALD AND LORRAINE HOSTEN, and RESPONDENTS, OAK CLUB CORPORATION and LIGHTHOUSE PROPERTY MANAGEMENT** appeared telephonically, through counsel, for the case management conference scheduled by this Court on February 17, 2012.

At this time and place several issues were presented to the Court:

1. Petitioners' Motion for Continuance of the Final Hearing (previously scheduled for March 13, 2012) filed 2/9/12 *pro se* on the basis of failure on the part of Respondent, Oak Club Corporation, to respond to their Request to Produce;
2. Respondent, Lighthouse Property Management's notice to the court that counsel for Respondent, Lighthouse, was not being included in the Court's Certificate of Service, that documents filed by Respondent, Lighthouse, were missing from the DOAH docket and that counsel for Respondent, Lighthouse was scheduled to be out of the country on March 13, 2012 resulting in Lighthouse joining the Petitioners in their previously filed motion for continuance;
3. Respondent, Oak Club Corporation, advising the Court that it had filed an objection to Petitioners Request to Produce which had not yet been heard and making an oral motion to allow two documents to be expunged from the DOAH court file as privileged and confidential. Petitioners agreed to modify the Request to Produce.

4. All parties agreed that additional time was needed to allow for proper preparation of this case for trial., to wit: discovery was ongoing, certain housekeeping issues (including a possible substitution or addition of party Oaks Clubside Homeowners Association, Inc.) and a motion to strike certain portions of the pending complaint by Respondent, Oaks were all anticipated. In addition, Respondent, Lighthouse agreed to take steps to get his previously tendered pleadings added to the DOAH docket and the parties stipulated that expunging privileged documents was appropriate.
5. Based on the issues as presented it was the understanding of counsel for Petitioners that the Court's instruction to secure new dates were dates for a continued mediation, at which time the issues addressed by the Court could be verified and/or resolved, including confirmation that all proper parties were included and listed; that all proper discovery had been completed, that all previously filed pleadings had been added to the DOAH docket and the appropriateness of mediation or conciliation.
6. Based on that understanding a proposed order was drafted, authorized by all counsel and submitted to the court. It was brought to the attention of the undersigned by the Court today that her understanding of the February 24, 2012 proceedings was incorrect which, in turn, made the proposed order completely wrong.
7. In an effort to comply with the instructions from the Court and to allow for the best efficiency and use of the court's time, the undersigned would request that the case management conference be reopened to allow for a clarification of the status of this matter.
8. The dates previously provided to the Court remain available, to wit: June 4, 5, 6, 7, 8 or July 9 or 11, 2012 by which time it is anticipated that the issues presented to the Court will have been addressed by the parties.

WHEREFORE, Petitioners move this Court to allow for the case management conference to be continued until a date certain at which time the Court will address all outstanding issues including but not limited to: proper parties, discovery issues, conciliation, mediation, and/or the scheduling of a final hearing.

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was provided electronically to Laura Bauman, Counsel for Oaks Club Corporation and Richard Ulrich, Counsel for Lighthouse Property Management, Inc. this 2nd day of March, 2012.

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