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**IN THE CIRCUIT COURT OF THE
FOURTH JUDICIAL CIRCUIT IN AND
FOR, HILLSBOROUGH, FLORIDA**

CASE NUMBER: 16-2019-CA-005092

Eric Ting

**Plaintiff,
vs.**

**Florida Peninsula Insurance Company,
Defendant.**

_____ /

PLAINTIFF'S MOTION FOR DEFAULT

COMES NOW the Plaintiff, Eric Ting, by and through their undersigned counsel and pursuant to Florida Rules of Civil Procedure 1.500(b), hereby files its Motion for Default Judgment against Defendant, Florida Peninsula Insurance Company. In support thereof, Plaintiff states as follows:

1. Plaintiff, Eric Ting filed a Complaint on or about July 17, 2019 against the Defendant, **Florida Peninsula Insurance Company**.
2. The Complaint was served to Defendant on August 14, 2019.
3. On August 14, 2019, Defendant filed a Motion for Extension of Time to Respond to Plaintiff's Complaint requesting an additional 30 days' extension.
4. Plaintiff advised Defendant it was unopposed to this request and provided a proposed order granting Defendant's Motion. *See Exhibit A.*
5. Defendant did not respond to Plaintiff's correspondence.
6. More than thirty days have elapsed since Defendant's Motion for Extension of Time, however, Defendant has yet to file an answer or respond to Plaintiff's Complaint as

required by the Florida Rules of Civil Procedure.

3. Rule 1.500(b) states that “{w}hen a party against whom affirmative relief is sought has failed to plead or otherwise defend as provided by these rules or any applicable statute or any order of court, the court may enter default against such a party.” Fla. R. Civ. P. 1.500(b).

4. Plaintiff is therefore entitled to a default judgement in its favor pursuant to Rule 1.500(b), Florida Rules of Civil Procedure.

WHEREFORE, the Plaintiff, Eric Ting, requests this Honorable Court enter Default Judgment against Defendant, Florida Peninsula Insurance Company and reserve jurisdiction as to damages and any applicable attorney’s fees and costs.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via email to: Mr. Robert S. Horwitz, Esq., Conroy, Simberg, Ganon, Krevans, Abel, Lurvey, Morrow & Schefer, P.A., Esquire at this 17th day of September, 2019.

/s/ Gregory Greenberg

COHEN LAW GROUP

Gregory N. Greenberg, Esq.

Attorneys for Plaintiff

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EXHIBIT A

Eric Ting v. Florida Peninsula Insurance Company

1 message

Rachael McLeod <rachael@itsaboutjustice.law>

To: "RSH-Robert S. Horwitz" <rhowitz@conroysimberg.com>, pcoole@conroysimberg.com, Gregory Greenberg <ggreenberg@itsaboutjustice.law>

Thu, Aug 15, 2019 at 12:09 PM

Good Afternoon,

we are in receipt of Defendant's Motion for Extension of Time to Respond to Plaintiff's Complaint and are agreeable to the 30 days' extension sought therein. Please find attached proposed agreed order granting same and advise if there is any objection.

Thank you,

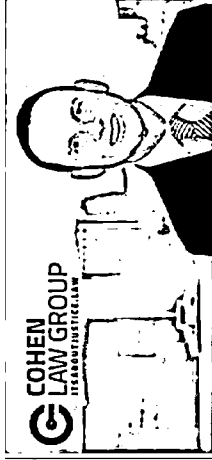
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