

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR
CHARLOTTE COUNTY, FLORIDA
CIVIL ACTION

KENNETH D. GOODMAN, TRUSTEE,

Plaintiff,

v.

M.A.M.C. WINDWARD, LLC, a Florida
limited liability company, et al.,

Defendants.

CASE NO. 07-2492-CA

NOTICE OF HEARING

TO: All Counsel

NOTICE IS HEREBY GIVEN that Plaintiff, Kenneth D. Goodman, Trustee, by and through their undersigned attorneys, will bring on for hearing before the Honorable Ramiro Manalich, one of the Judges of the above styled court:

PLACE: CHARLOTTE COUNTY COURTHOUSE

DATE: October 7, 2008

TIME: 11:00 am

PURPOSE: Plaintiff's Motion to Compel Defendant to Respond to Interrogatories

TIME ALLOTTED: 10 minutes

PLEASE BE GOVERNED ACCORDINGLY.

A good faith effort, constituting of faxing information to all Counsel, has been made to coordinate the scheduling of this hearing, however, the undersigned has been unable to coordinate the date/time referenced herein.

In accordance with the Americans with Disabilities Act, if you are a person with a disability who needs accommodation in order to participate in the proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA coordinator at 350 East Marion Avenue, Punta Gorda, Florida 33950, telephone (941) 637-2281 within two (2) working days of your receipt of this notice. If you are hearing or voice impaired, call 1-800-955-8771.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that a true and correct copy of the foregoing was furnished by U.S. Mail to James D. Gassenheimer, Esq., and Monica F. Klein, Esq., The Gassenheimer Law Firm, 307 Continental Plaza, 3250 Mary Street, Coconut Grove, FL 33133, James P. S. Leshaw, Esq., Greenberg Traurig, P.A., 1221 Brickell Avenue, Miami, FL 33131, Andrew Zaron, Esq., Hunton & Williams LLP, 1111 Brickell Avenue, Suite 2500, Miami, FL 33131-1802, and Eugene H. Smith, Esq. & C. Richard Mancini, Esq., Henderson, Franklin Starnes & Holt, P.O. Box 280, Ft. Myers, FL 33902-0280, this 5th day of September, 2008.

COLEMAN, HAZZARD & TAYLOR, P.A.

By 

J. Michael Coleman, Esq.

Florida Bar No. 606618

Attorneys for Plaintiff

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**PLAINTIFF'S MOTION TO COMPEL DEFENDANT TO
RESPOND TO INTERROGATORIES**

Plaintiff, Kenneth D. Goodman, Trustee by and through his undersigned attorneys, moves this Court pursuant to Rule 1.380 Fla. R. Civ. P. to enter an Order compelling Defendant, M.A.M.C Windward, LLC, to respond to Interrogatories previously propounded to him and in support thereof says:

1. On or about March 27, 2008, Plaintiff, Kenneth D. Goodman, Trustee, propounded a set of Interrogatories to M.A.M.C. Windward, LLC.

2. As of this date, Plaintiff has received neither answers nor objections to the Interrogatories served on March 27, 2008.

3. The undersigned hereby certifies that the he has, in good faith, conferred or attempted to confer with James D. Gassenheimer, Esq. and Monica F. Klein, Esq., counsel for M.A.M.C. Windward, LLC, in an attempt to secure the information requested in the discovery referenced above prior to this request for court action, however, the undersigned was unable to obtain a resolution to this issue.

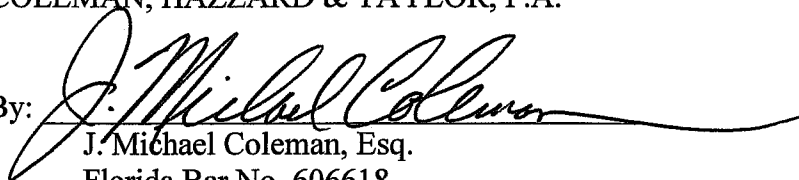
WHEREFORE Kenneth D. Goodman, Trustee requests this Court enter an Order compelling M.A.M.C. Windward, LLC to fully respond to the Interrogatories and award Kenneth D. Goodman, Trustee, the costs and fees incurred in connection with this Motion.

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I HEREBY CERTIFY, that a true and correct copy of the foregoing was furnished by U.S. Mail to James D. Gassenheimer, Esq., and Monica F. Klein, Esq., The Gassenheimer Law Firm, 307 Continental Plaza, 3250 Mary Street, Coconut Grove, FL 33133, James P. S. Leshaw, Esq., Greenberg Traurig, P.A., 1221 Brickell Avenue, Miami, FL 33131, Andrew Zaron, Esq., Hunton & Williams LLP, 1111 Brickell Avenue, Suite 2500, Miami, FL 33131-1802, and Eugene H. Smith, Esq. & C. Richard Mancini, Esq., Henderson, Franklin Starnes & Holt, P.O. Box 280, Ft. Myers, FL 33902-0280, this 13th day of August, 2008.

COLEMAN, HAZZARD & TAYLOR, P.A.

By:



J. Michael Coleman, Esq.

Florida Bar No. 606618

Attorneys for Plaintiff

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