

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

CIRCUIT CIVIL DIVISION AE
CASE NO. 50-2019-CA-013860-XXXX-MB

GABE HOFFMAN,
Plaintiff/Petitioner

vs.

THOMAS SCHOENBERGER,
THOMAS SCHOENBERGER LLC,
Defendant/Respondents.

_____ /

ORDER SPECIALLY SETTING HEARING

THIS MATTER is specially set for hearing before **JUDGE GLENN KELLEY** in Courtroom **9C** at the Palm Beach County Courthouse, 205 N. Dixie Highway, West Palm Beach, FL 33401, as follows:

DATE OF THE HEARING: Thursday, January 7th, 2021

TIME OF THE HEARING: 8:15 AM

AMOUNT OF TIME RESERVED: 15 minutes

DATE(S) MOTION(S) FILED: Wednesday, December 9, 2020

TITLE OF MOTION(S): Motion to Dismiss

COVID-19 NOTICE:

PURSUANT TO SUPREME COURT AOSC20-15, IN-PERSON HEARINGS ARE SUSPENDED FOR ALL NON-ESSENTIAL HEARINGS. ALL HEARINGS IN DIVISION AE ARE BEING CONDUCTED REMOTELY. IF THE HEARING SET BY THIS ORDER IS FOR A DATE AND TIME WHEN AOSC20-15 REMAINS IN EFFECT, THE HEARING SHALL BE CONDUCTED REMOTELY.

IN ACCORDANCE WITH A0 NO. 12.510-5/2020.11, REMOTE HEARINGS ARE TO BE CONDUCTED BY ZOOM UNLESS THE LITIGANTS REQUEST OTHERWISE. A ZOOM LINK HAS BEEN GENERATED FOR THIS HEARING. LITIGANTS AND INTERESTED PARTIES SHALL APPEAR FOR THIS HEARING USING THE FOLLOWING ZOOM LINK:

Zoom Meeting Info:

Zoom Meeting ID: 88048121762

Zoom Meeting Password: 67982055

Zoom

Join

Link: [https://us02web.zoom.us/j/88048121762?](https://us02web.zoom.us/j/88048121762?pwd=bjFObGxLWnhGTGwxVndSUHICQUpRQT09)

[pwd=bjFObGxLWnhGTGwxVndSUHICQUpRQT09](https://us02web.zoom.us/j/88048121762?pwd=bjFObGxLWnhGTGwxVndSUHICQUpRQT09)

Zoom Dial-In Numbers: 8778535257. 8884754499

LITIGANTS NOT WISHING TO USE ZOOM FOR THE HEARING SHALL

CONTACT THE COURT'S JUDICIAL ASSISTANT IN ACCORDANCE WITH THE DIVISIONAL INSTRUCTIONS FOR DIVISION AE.

THIS HEARING CANNOT BE CANCELED OR RESET EXCEPT BY FURTHER ORDER OF THE COURT.

If the issue which is the subject matter of the hearing is resolved prior to the hearing, contact the Judicial Assistant immediately for instructions on submission of a proposed order. If resolved less than twenty-four (24) hours prior to the hearing (excluding holidays and weekends), the moving party shall either: 1) appear before the Court at the scheduled hearing time with a proposed order; or 2) provide an agreed order resolving the subject matter of the hearing. The agreed order must be uploaded electronically to the divisional queue by 3:00 p.m. the day before the scheduled hearing.

Should either party require a continuance of this special set hearing, the matter is to be properly noticed and set on the Court's uniform motion calendar. Under no circumstances may the parties continue or cancel the hearing without approval of the Court.

APPEARANCE AT HEARING

All counsel, or self-represented parties, must either: (1) be present personally at the hearing; or (2) appear remotely in accordance with the Divisional Instructions for Division AE. The party setting the hearing shall be responsible for notifying the Court's Judicial Assistant at least five (5) business days prior to the hearing with regard to the method and manner of the remote appearance. A witness may testify only in strict compliance with Fla. R. Jud. Admin. 2.530 and Fla. R. Civ. P. 1.451, unless amended by Administrative Order of the Florida Supreme Court.

FILING OF RELATED DOCUMENTS

All responses to the scheduled motion(s), if any, are to be filed no later than ten (10) business days prior to the hearing. A copy shall be submitted simultaneously to opposing counsel or any *pro se* party. A reply, if any, to any response, shall be filed no later than five (5) business days prior to the hearing. A copy shall be submitted simultaneously to opposing counsel or any *pro se* party.

COURTESY COPIES TO THE COURT

The parties shall supply the Court with a courtesy copy of the motion, response and any reply. The court shall also be supplied a copy of any supporting or opposing memoranda of law.

All courtesy copies must be supplied to the court at least five days in advance of the hearing. Any pleading or document sent to the court must be screened by security before it is delivered to chambers. For this reason, pleadings and documents should be mailed or delivered sufficiently in advance of the five-day deadline to allow for screening and timely delivery to chambers. Do not expect filings furnished the day before the deadline to be timely delivered to the court.

Documents e-filed are processed by the Clerk into the computerized file. That process is not instantaneous. It usually takes more than a full day. Consequently, to ensure that the undersigned has an opportunity to review documents prior to the hearing, e-file far enough in

advance of the hearing.

To the greatest extent possible, the parties are to avoid the filing of voluminous notebooks. In this regard, the parties are directed as follows:

- Do not provide copies of cases cited in the pleadings. The court will review relevant case law in advance of the hearing electronically.
- If depositions are relied upon in connection with a motion, response or reply, only the relevant portions of the deposition should be supplied to the court, not the entire deposition. Affidavits supporting or opposing motions may be supplied in their entirety.
- Avoid the unnecessary attachment, or filing, of documents that are only tangentially related to the issue to be decided.

Failure to comply with this Order could result in sanctions, including but not limited to attorney's fees incurred by the other side in attending scheduled hearing.

Counsel requesting this Order has certified that he/she has spoken in person or by telephone with the attorney(s) for all parties who may be affected by the relief sought in the motion in a good faith effort to resolve or narrow the issues raised.

DONE AND ORDERED in Chambers, at West Palm Beach, Palm Beach County, Florida.

50-2019-CA-013860-XXXX-MB 12/28/2020
Glenn D. Kelley, Judge

50-2019-CA-013860-XXXX-MB 12/28/2020
Glenn D. Kelley
Judge

Copies furnished to counsel of record @ registered e-mail addresses with ADA language.

The moving party is required to list the name & address of unrepresented parties and furnish a copy of this Order via US MAIL.

DENNIS S KLEIN	10360 WEST STATE ROAD 84 FORT LAUDERDALE, FL 33324	dklein@kelleykronenberg.com dklein@kelleykronenberg.com jbraun@kelleykronenberg.com
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KEVIN D ASTL	No Address Available	kevin@mylawyerkevin.com

This notice is provided pursuant to Administrative Order No. 2.207

“If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact , Americans with Disabilities Act Coordinator, Palm Beach County Courthouse, 205 North Dixie Highway West Palm Beach, Florida 33401; telephone number (561) 355-4380 at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.”

“Si usted es una persona minusválida que necesita algún acomodamiento para poder participar en este procedimiento, usted tiene derecho, sin tener gastos propios, a que se le provea cierta ayuda. Tenga la amabilidad de ponerse en contacto con , 205 N. Dixie Highway, West Palm Beach, Florida 33401; teléfono número (561) 355-4380, por lo menos 7 días antes de la cita fijada para su comparecencia en los tribunales, o inmediatamente después de recibir esta notificación si el tiempo antes de la comparecencia que se ha programado es menos de 7 días; si usted tiene discapacitación del oído o de la voz, llame al 711.”

“Si ou se yon moun ki enfim ki bezwen akomodasyon pou w ka patisipe nan pwosedi sa, ou kalifye san ou pa gen okenn lajan pou w peye, gen pwovizyon pou jwen kèk èd. Tanpri kontakte , kòdonatè pwogram Lwa pou ameriken ki Enfim yo nan Tribinal Konte Palm Beach la ki nan 205 North Dixie Highway, West Palm Beach, Florida 33401; telefòn li se (561) 355-4380 nan 7 jou anvan dat ou gen randevou pou parèt nan tribinal la, oubyen imedyatman apre ou fin resevwa konvokasyon an si lè ou gen pou w parèt nan tribinal la mwens ke 7 jou; si ou gen pwoblèm pou w tande oubyen pale, rele 711.”