

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR,

Complainant,

v.

STEVEN KENT HUNTER

and

PHILIP MAURICE GERSON,

Respondents.

Supreme Court Case Nos.  
SC16-1006 & SC16-1009

The Florida Bar File Nos.  
2014-70,728(11C)  
2014-70,729(11C)

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**UNOPPOSED MOTION FOR EXTENSION OF TIME**

Respondent Philip Gerson moves to enlarge his time to file his Answer Brief and Brief in Support of Cross-Notice for Review of Report of Referee (“Answer Brief”) and states:

1. The Florida Bar filed its Initial Brief on May 1, 2017. Absent an extension of time, Mr. Gerson’s Answer Brief would be due May 22, 2017. For the reasons set forth below, Mr. Gerson asks that the time to file his Answer Brief be enlarged by seven weeks, to July 10, 2017.

2. Preliminarily, Mr. Gerson and his counsel find that the twenty days to file the Answer Brief that Disciplinary Rule 3-7.7(c)(3) allots is insufficient. Preparation of the Answer Brief requires analysis of The Bar’s 47-page Brief,

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review of the extensive trial record (506-page transcript and 76 trial exhibits), legal research, and drafting.

3. The length of the requested enlargement is necessitated by several factors. Mr. Gerson's undersigned lawyers have many other legal matters to address, and both have upcoming personal commitments. Mr. Pollack has pre-planned and paid-for vacations from May 17 to May 24 and June 20 to June 30. Ms. Bridges's two-year-old daughter is scheduled for surgery June 6 to repair a congenital heart defect, and believes that she will be out of the office for a week or so. Mr. Gerson himself has a long-planned trip out of the country with his wife, from June 4 to June 22, to celebrate their 50th wedding anniversary.

4. Finally, the importance of the Answer Brief cannot be overstated. In its Notice of Intent to Seek Review, The Florida Bar asks this Court, *inter alia*, to disregard the Referee's recommendation of an admonishment and, instead, to suspend Mr. Gerson for 30 days. Hence, Mr. Gerson's Brief will be the most consequential filing in his 47-year career. It is critical for it be as good as it can be.

5. Counsel for The Florida Bar does not oppose the requested extension.

6. This Motion is not made for the purpose of delay or any other improper purpose.

WHEREFORE, Mr. Gerson respectfully requests that the Court grant his Motion, enlarge, to July 10, 2017, his time to file his Answer Brief, and enter such

additional relief as it deems just and proper.

Respectfully submitted,

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By: /s/ *David C. Pollack* \_\_\_\_\_

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Attorneys for respondent Philip Gerson

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of May, 2017, I filed a true and correct copy of the foregoing document with The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida through the E-filing Portal. I also certify that the foregoing document is being served this day on all counsel of record identified on the below Service List via e-mail.

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*/s/David C. Pollack*

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