

TGEGKGF.: 914235"36-75-55."Vj qo cu'F0J cm'Ergtm"Uwr tgo g'Eqwtv

IN THE SUPREME COURT OF FLORIDA

THE FLORIDA BAR RE: ADVISORY
OPINION ACTIVITIES OF
COMMUNITY ASSOCIATION
MANAGERS

CASE NO. SC13-889

**MOTION TO STRIKE REPLY BRIEF OF THE CONTINENTAL GROUP,
INC., ASSOCIATIONS, INC., AND CEOMC FLORIDA, INC.**

COMES NOW The Florida Bar and moves to strike the reply brief of The Continental Group, Inc., Associations, Inc., and CEOMC Florida, Inc. and as grounds thereof states as follows:

The present matter is a request for a formal advisory opinion governed by rule 10-9.1 of the Rules Regulating The Florida Bar. Rule 10-9.1 allows interested parties, with leave of court, to file an objection to the proposed advisory opinion. The Continental Group, et al. was granted permission to file a brief and did so. They have now filed a brief in reply to the brief filed by Petitioner, the Real Property, Probate, and Trust Law Section of The Florida Bar.

Rule 10-9.1(g)(3) discusses the briefs that may be filed in an advisory opinion matter. The rule allows the Petitioner to file a brief in opposition to the opinion, interested parties with leave of court to file a brief in opposition to or support of the opinion, The Florida Bar to file an answer brief and “the petitioner, as well as other interested parties having leave of court [to] file a reply brief within

10 days of service of [The Florida Bar's] responsive brief.” The reply brief is in response to The Florida Bar's responsive brief. Nowhere do the rules allow an interested party to file a reply brief in response to the Petitioner's brief. As the reply brief filed by The Continental Group, et al. is not permitted by the rule, it must be stricken.

WHEREFORE, The Florida Bar requests that the brief in reply to Petitioner the Real Property, Probate, and Trust Law Section of The Florida Bar filed by The Continental Group, Inc., Associations, Inc., and CEOMC Florida, Inc. be stricken.

Respectfully submitted,

/s/ Jeffrey T. Picker

Jeffrey T. Picker

Florida Bar No. 12793

Lori S. Holcomb

Fla. Bar No. 501018

The Florida Bar

651 East Jefferson Street

Tallahassee, Florida 32399-2300

(850) 561-5840

Primary Email: jpicker@flabar.org

Secondary Email: upl@flabar.org

CERTIFICATE OF SERVICE

I certify that a copy of this Motion To Strike Reply Brief Of The Continental Group, Inc., Associations, Inc., and CEOMC Florida, Inc. was sent by Email to the following on this 7th day of August, 2013:

Ms. Margaret A. Rolando, Chair

Real Property, Probate & Trust Law Section of The Florida Bar
Shutts & Bowen LLP
201 S. Biscayne Blvd., Ste. 1500
Miami, Florida 33131
(305) 379-9144
Email: mrolando@shutts.com

Jennifer A. Winegardner
The Chase Law Firm
1535 Killearn Center Blvd., A1
Tallahassee, Florida 32309
(850) 385-9880
Email: jwinegardner@chasefirm.com

Mauri Peyton
PeytonBolin, PL
4758 W. Commercial Blvd.
Fort Lauderdale, Florida 33319
(954) 316-1339
Primary: mauri@peytonbolin.com
Secondary: gian@peytonbolin.com

David M. Felice
Terra Law Firm, P.A.
4809 Ehrlich Road, Ste. 105
Tampa, Florida 33624
(813) 374-2363
Email: dfelice@terralawfirm.com

Jeffrey M. Oshinsky
Association Financial Services, L.C.
4400 Biscayne Blvd., Ste. 550
Miami, Florida 33437
(305) 677-0022
Email: joshinsky@afslc.com

Mark R. Benson
4471 Harbortown Lane
Fort Myers, Florida 33919
(239) 489-0584

Email: mark@markRbenson.com

and by mail to:

Steve Caballero
2945 W. Cypress Creek Road, Ste. 201
Fort Lauderdale, Florida 33309
(800) 510-7787

/s/ Jeffrey T. Picker
Jeffrey T. Picker
Florida Bar No. 12793
The Florida Bar
651 East Jefferson Street
Tallahassee, Florida 32399-2300
(850) 561-5840
Primary Email: jpicker@flabar.org
Secondary Email: upl@flabar.org