

**IN THE
SUPREME COURT OF FLORIDA**

CASE NO.: SC16-1921

NICOLE LOPEZ,

Petitioner,

v.

SEAN HALL,

Respondent.

**On Review from the District Court of Appeal,
First District of Florida**

RESPONDENT'S MOTION TO LIFT STAY

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COMES NOW the Respondent, via undersigned counsel, and moves this Honorable Court to enter an Order lifting the stay on the trial court proceedings, namely the evidentiary hearing on Respondent's Motion for Section 57.105 sanctions and, in support states:

- 1) Following the First District Court of Appeal's reversal of the trial court's determination that Section 57.105 sanctions were unavailable at bar, this Honorable Court stayed the matter on March 29, 2017, pending the disposition of the Florida Supreme Court appeal.
- 2) On January 11, 2018, the Florida Supreme Court approved the First DCA decision that Section 57.105 Sanctions may be applied at bar.
- 3) On February 1, 2018, this Honorable Court issued a Mandate directing further proceedings but it did not address the Order previously staying proceedings.
- 4) Thus if the Court finds it necessary, the Respondent requests that the Court enter an Order lifting the stay order.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via email to Christopher W. Wickersham, Esq., and Michael Yokan, Esq. this 8th day of February 2018.

THE LAW OFFICES OF

EARL M. JOHNSON, JR., LLC

Respectfully submitted,

/s/ Earl M. Johnson, Jr.

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