

IN THE SUPREME COURT OF FLORIDA
(Before a Referee)

THE FLORIDA BAR,

Complainant,

Supreme Court Case
No. SC17-2050

vs.

Florida Bar File
No. 2014-50,165(17E)

PETER G. HERMAN,

Respondent.

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**RESPONDENT'S UNOPPOSED MOTION FOR
EXTENSION OF TIME TO FILE ANSWER BRIEF**

Respondent, PETER HERMAN, through counsel, pursuant to Florida Rule of Appellate Procedure 9.300, requests an extension of time within which to file his Answer Brief, and as grounds states the following:

1. Complainant, The Florida Bar, filed its Notice for Review on February 19, 2021.
2. The Bar filed an Agreed Motion requesting an additional 14 days to file its Initial Brief, which was granted by the Court on March 19, 2021.
3. The Florida Bar served its Initial Brief on April 5, 2021.
4. Accordingly, Respondent's Answer Brief is currently due on April 26, 2021.
5. This is a complex case involving federal bankruptcy law which was previously reviewed by this Court and remanded for further proceedings

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before the Referee for consideration of Mr. Herman's advice of counsel defense. The record in this matter is extensive.

6. On remand, the Referee has recommended Mr. Herman be found not guilty of all the Rule violations alleged in the Bar's Complaint. The Florida Bar is appealing and, again, is seeking disbarment.

7. Due to other pressing client matters over the past month, counsel for Respondent has not had sufficient time to prepare the Answer Brief and have it ready for submission to the Court by Monday, April 26, 2021.

8. Taking into consideration professional and personal matters scheduled in the immediate future, it is estimated that an additional 20 days will be necessary to prepare and finalize the Answer Brief.

9. Counsel for Respondent hereby requests an additional twenty (20) days to file the Answer Brief.

10. Counsel for Respondent has conferred with counsel for The Florida Bar, Chris W. Altenbernd, who has informed counsel he has no objection to the request for an extension of time.

11. This Motion for Extension of Time is filed in good faith and not merely for the purposes of delay.

WHEREFORE, Respondent respectfully requests this Court enter an order extending Respondent's deadline to file the Answer Brief to May 17, 2021.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I certify that the foregoing Unopposed Motion for Extension of Time to File Answer Brief has been E-filed with The Honorable John A. Tomasino, Clerk of the Supreme Court of Florida, using the E- filing Portal, with copies provided via e-mail on this 23rd day of April, 2021, to: Joi Pearsall, Bar Counsel (jpearsall@floridabar.org); Chris W. Altenbernd, Special Counsel (service-caltenbernd@bankerlopez.com; caltenbernd@bankerlopez.com); Patricia Ann Toro Savitz, Staff Counsel, The Florida Bar (psavitz@flabar.org).

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