

IN THE SUPREME COURT OF FLORIDA  
CASE NO.: SC18-149

THE FLORIDA BAR,  
Petitioner,

L.T. Case Nos.: 20174035(11B)  
and 20174045(11B)

vs.  
TIKD SERVICES LLC, A Foreign  
Limited Liability Company,

and

CHRISTOPHER RILEY,  
individually and as Founder of,  
TIKD SERVICES LLC,  
Respondents.

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**ERWIN ROSENBERG'S RESPONSE TO THE FLORIDA BAR'S MOTION TO  
STRIKE ERWIN ROSENBERG'S SUBSTANTIVE MOTIONS, NOTICES, AND  
REQUEST FOR JUDICIAL NOTICE**

The Florida Bar moved to strike my notices of supplemental authority, which were two court decisions. In the notices I cited Fl. R. App. R. 9.225: I agree that since the rule says "a party" it does not include one who is a movant to file an amicus brief. However, the rule serves as a reference since it does not say that only a party may file a notice of supplemental authority, particularly since F.S. 90.201(1) requires a Court to take judicial notice of decisional law and F.S. 90.202(6) allows a Court to take judicial notice of any court record, both without receiving a motion for judicial notice.

F.S. 90.201(1) says:

Matters which must be judicially noticed.—A court shall take judicial notice of:  
(1) Decisional, constitutional, and public statutory law and resolutions of the Florida Legislature and the Congress of the United States.

F.S. 90.202(6) says:

Matters which may be judicially noticed.—A court may take judicial notice of the following matters, to the extent that they are not embraced within s. 90.201:

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...  
(6) Records of any court of this state or of any court of record of the United States or of any state, territory, or jurisdiction of the United States.

I agree that since F.S. 90.203 says "when a party requests it " this Court is not compelled by that statute to grant my motions for judicial notice.

The Florida Bar also moved to strike two motions where I ask this Court to make a determination relating to the settlement agreement in *TIKD Services LLC v. The Florida Bar et. al.*, U.S. Dist. Ct. So. Fla. Case No. 1:17-cv-24103-MGC where in both motions I explained the relevance of the particular motion to determine to my motion for leave to file an amicus brief. Since Fl. R. App. R. 9.300(a) does not use the word "party" it indicates that non-parties may file motions, at least where there is a stated relevance to a clearly authorized motion such as a motion for leave to file an amicus brief.

Wherefore this Court should deny The Florida Bar's motion to strike Erwin Rosenberg's substantive motions, notices and request for judicial notice.

CERTIFICATE OF SERVICE

I hereby certify that on February 3, 2020 I served a copy hereof on all registered persons via Portal Filing.

Respectfully,

/s./ Erwin Rosenberg  
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