

IN THE SUPREME COURT OF FLORIDA
TALLAHASSEE, FLORIDA

RESTORATION 1 OF PORT ST. LUCIE,
a/a/o John and Liz Squitieri,

Case No.: SC18-1624
L.T. Case No.: 4D17-1113

Petitioner/Cross-Respondent,

v.

ARK ROYAL INSURANCE COMPANY,

Respondent-Cross-Petitioner.

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**PETITIONER/CROSS-RESPONDENT'S RESPONSE TO
RESPONDENT/CROSS-PETITIONER'S MOTION
FOR APPELLATE ATTORNEY'S FEES**

Petitioner/Cross-Respondent, RESTORATION 1 OF PORT ST. LUCIE, a/a/o John and Liz Squitieri, responds to Respondent/Cross-Petitioner ARK ROYAL INSURANCE COMPANY's "Motion for Appellate Attorneys' Fees" and states:

1. Respondent/Cross-Petitioner seeks appellate attorneys' fees pursuant to an "Offer of Judgment/Proposal for Settlement" served upon Petitioner/Cross-Respondent.

2. Respondent/Cross-Petitioner's motion is contingent upon Ark Royal ultimately prevailing in this matter. The motion is also contingent upon a judicial determination that the Offer of Judgment/Proposal for Settlement is valid, unambiguous, and legally sufficient to trigger an award of fees. Respondent/Cross-Petitioner has attached its Offer of Judgment/Proposal for Settlement to support its Motion, and the Offer of Judgment/Proposal for Settlement is facially invalid and fails

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to comply with Florida law. Therefore, the Offer of Judgment/Proposal for Settlement does not serve as a valid basis for appellate attorney's fees.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail to Thomas Keller, Esquire [tkeller@butler.legal, lfarrell@butler.legal], D. Grayson Kelly, Esquire [gkelly@butler.legal, afreeman@butler.legal, eservice@butler.legal, arusso@butler.legal, zhasbini@butler.legal], Gray Proctor, Esquire [gray@appealsandhabeas.com, gray000@yahoo.com, appointments@appealsandhabeas.com], Kenneth Bell, Esquire and Lauren Purdy, Esquire [kbell@gunster.com; lpurdy@gunster.com, aarmstrong@gunster.com, lfrancis@gunster.com, jhoppel@gunster.com, eservice@gunster.com]; Scott Millard, Esquire and Jordan Mejeur, Esquire [smillard@itsaboutjustice.law, jmejeur@itsaboutjustice.law, rachael@itsaboutjustice.law.]; Mark K. Delegal, Esquire and George N. Meros, Esquire [kay.akridge@hklaw.com, george.meros@hklaw.com, charlene.roberts@hklaw.com, mark.delegal@hklaw.com, Becky.Hilliard@hklaw.com]; Ashleigh Kalifeh, Esquire [akalifeh@capcityconsult.com] William W. Large, Esquire [william@fljustice.org]; Philip M. Burlington, Esquire [pmb@FLAppellateLaw.com, kbt@FLAppellateLaw.com]; Kansas R. Gooden, Esquire [kgooden@boydjen.com, dperalta@boydjen.com, kbarnett@boydjen.com]; Trenton H. Cotney, Esquire

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