

1827823

IN THE SUPREME COURT OF FLORIDA

Case No. SC19-1305

L.T. CASE NO.: 18-13291-FF

PEOPLES GAS SYSTEM, a Division
of Tampa Electric Company, a Florida
Corporation,

Appellant,

v.

POSEN CONSTRUCTION, INC.,

Appellee.

_____ /

**APPELLEE'S UNOPPOSED MOTION FOR EXTENSION
OF TIME TO SERVE ITS ANSWER BRIEF**

Appellee, POSEN CONSTRUCTION, INC., by and through undersigned counsel, respectfully moves this Honorable Court for an Order extending the time to serve its Answer Brief for twenty-five (25) days and in support of the Motion, Appellee states:

1. Appellee's Brief is presently due to be served on December 2, 2019.
2. Appellee's counsel's appellate and trial litigation schedule has made it impossible for her to complete the Answer Brief by December 2, 2019, despite a diligent attempt to do so.

RECEIVED, 11/26/2019 11:21:30 AM, Clerk, Supreme Court

3. The time remaining under Rule 9.210(f), Florida Rules of Appellate Procedure, for serving the Appellee's Answer Brief, is insufficient to ensure adequate presentation of the Appellee's argument on appeal.

4. This request is made in good faith and not for purposes of delay and no prejudice will be suffered by the granting of this motion.

5. As required by Rule 9.300(a), Florida Rules of Appellate Procedure, counsel for Appellant certifies that opposing counsel, Jason B. Gonzalez, Esquire, counsel for Appellant, has been contacted and has been authorized undersigned to represent that he has no objection to this twenty-five (25) day extension of time.

WHEREFORE, Appellee, POSEN CONSTRUCTION, INC., respectfully moves this Honorable Court for a twenty-five (25) day extension of time to serve its Answer Brief.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy hereof has been furnished to Michael E. Reed, Esq., Wicker Smith, P.A., 100 N. Tampa Street, Suite 1800, Tampa, FL 33602, Attorney for Defendant, Posen Construction, Inc., tpacrtpleadings@wickersmith.com; Pedro F. Bajo, Jr., Esq., Bajo Cuva Cohen Turkel, P.A., 100 N. Tampa Street, Suite 1900, Tampa, FL 33602-5853, Attorney for Plaintiff, pedro.bajo@bajocuva.com; Victor Stephen Cohen, Esq., Bajo Cuva Cohen Turkel, P.A., 100 North Tampa Street, Suite 1900, Tampa, FL 33602-5853,

Attorney for Appellant, scohen@bajocuva.com;; Jason B. Gonzalez, Esquire, Shutts & Bowen, LLP, 215 S. Monroe Street, Suite 804, Tallahassee, FL 32301, Attorney for Appellant, Peoples Gas System, jasongonzalez@shutts.com; Amber S. Nunnally, Esquire, Shutts & Bowen, LLP, 215 S. Monroe Street, Suite 804, Tallahassee, FL 32301, Attorney for Appellant, Peoples Gas System, anunnally@shutts.com; Daniel E. Nordby, Esquire, Shutts & Bowen, LLP, 215 S. Monroe Street, Suite 804, Tallahassee, FL 32301, Attorney for Appellant, Peoples Gas System, dnordby@shutts.com; Julissa Rodriguez, Esquire, Shutts & Bowen, LLP, 215 S. Monroe Street, Suite 804, Tallahassee, FL 32301, Attorney for Appellant, Peoples Gas System, jrodriguez@shutts.com by electronic mail on this 26th day of November, 2019.

CONROY SIMBERG
COUNSEL FOR APPELLEE
3440 Hollywood Boulevard, Second Floor
Hollywood, FL 33021
Telephone: (954) 961-1400
Facsimile: (954) 518-8606
Primary Email: hklein@conroysimberg.com;
Secondary Email:
eservicehwdappl@conroysimberg.com

By: /s/Hinda Klein
Hinda Klein, Esquire
Florida Bar No. 510815