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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 TO TOLL TIME**

Appellee, POSEN CONSTRUCTION, INC., by and through undersigned counsel, respectfully requests this Honorable Court to toll the time for service of its Answer Brief pending this Court's ruling on its Motion for Extension of Time filed contemporaneously with this motion, and as grounds therefor states:

1. Appellee has filed a Motion for Extension of Time for service of its Answer Brief. Appellee requests this Court toll the time for the service of the Answer Brief until such time as this Court rules on its motion.

2. 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.

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

3. As required by Rule 9.300(a), Florida Rules of Appellate Procedure, counsel for Appellee certifies that opposing counsel, Jason Gonzalez, Esquire, counsel for Appellant, has been contacted and has authorized undersigned counsel to represent that he does not oppose the relief requested herein.

WHEREFORE, Appellee, POSEN CONSTRUCTION, INC., respectfully requests this Honorable Court toll the time for service of its Answer Brief until such time as this Court rules on its Motion for Extension of Time.

### **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](mailto: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](mailto: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](mailto: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](mailto: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.

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