

IN THE SUPREME COURT OF FLORIDA

CASE NO. SC19-1336

WILSONART, LLC and SAMUEL
ROSARIO,

Petitioners,

v.

MIGUEL LOPEZ, as Personal
Representative of the Estate of JON
LOPEZ, deceased,

Respondent.

**UNOPPOSED MOTION OF FLORIDA JUSTICE ASSOCIATION AND
AMERICAN ASSOCIATION FOR JUSTICE FOR LEAVE TO FILE AN
AMICUS CURIAE BRIEF IN SUPPORT OF RESPONDENT and
UNOPPOSED MOTION FOR A BRIEF EXTENSION OF TIME TO FILE
THE AMICUS CURIAE BRIEF**

The Florida Justice Association (FJA) and the American Association for Justice (AAJ) respectfully ask this Court for leave to appear in this proceeding as amicus curiae and file a brief in support of Respondent, Miguel Lopez, as Personal Representative of the Estate of Jon Lopez, deceased.

The FJA is a large, voluntary, and statewide association of more than 3,000 attorneys concentrating on litigation in all areas of the law. The members of the FJA are pledged to the preservation of the American legal system, the protection of individual rights and liberties, the evolution of the common law, and the right of

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access to courts. The FJA has been involved as amicus curiae in hundreds of cases in the Florida courts, including this one.

Likewise, the AAJ is a national nonprofit advocacy and lobbying organization committed to advocating for the civil justice system, whether that means taking on powerful corporate interests, opposing unconstitutional attacks on the civil justice system or fighting harmful legislation that limits Americans' access to the courts. The AAJ is committed to strengthening the civil justice system to ensure deserving individuals can get justice and wrongdoers are held accountable. The AAJ has been involved as amicus curiae in hundreds of cases in the Florida courts, including this one.

If granted leave, the FJA and AAJ will primarily address Florida Rule of Civil Procedure 1.510 and the counter-part federal rule of civil procedure, Rule 56, and will urge this Court to not amend Rule 1.510 until and unless the issue is thoroughly examined through the rules committee process. The issues before this Court are of utmost importance to the members of our organizations, who advocate for their clients to have the right to jury trial preserved in all cases, such that this right should only be taken away in the pre-trial process after having a full and fair opportunity to oppose Motions for Summary Judgment.

Accordingly, the FJA and AAJ respectfully ask this Court for leave to file an amicus curiae Brief in support of Respondent, and for a brief extension of time of

five (5) days, to June 22, 2020, to file an amicus Brief.¹ The undersigned would note that this Court previously granted the Florida Bar Business Law Section's Motion for Extension of Time to file its Amicus Brief at no prejudice to the Respondent. Likewise, there will be no prejudice to the Petitioners since the Respondent will agree to a reasonable extension of time to file the Reply Brief.

We have contacted counsel for Petitioners Wilsonart, LLC and Samuel Rosario, who has stated his clients have no objection to the FJA's and AAJ's appearance as amicus curiae, nor to their request for an extension of time to file the amicus brief.

WHEREFORE, the Florida Justice Association (FJA) and the American Association for Justice (AAJ) respectfully ask this Court for leave to appear in this proceeding as amicus curiae and file an amicus curiae brief in support of Respondent, Miguel Lopez, as Personal Representative of the Estate of Jon Lopez, deceased, and to submit this brief no later than June 22, 2020.

¹ Current due date is June 15, 2020.

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true copy of the foregoing has been furnished to all counsel on the attached service list by e-mail on June 11, 2020.

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