

IN THE SUPREME COURT OF FLORIDA

STEVEN J. PINCUS, an individual, on behalf
of himself and all others similarly situated,

Florida Supreme Court
Case No. SC21-159

Appellant,

v.

Eleventh Circuit
Case No. 19-10474

AMERICAN TRAFFIC SOLUTIONS, INC.,
a Kansas corporation,

Appellee.

_____ /

NOTICE OF DESIGNATION OF MOVING PARTY

On February 4, 2021, the Court directed the parties¹ to file a written response advising the Court who the moving party will be. For the following reasons, Appellant STEVEN J. PINCUS (“Mr. Pincus”) contends that he is the proper moving party:

1. Mr. Pincus initially brought this action in the United States District Court for the Southern District of Florida on June 29, 2018.
2. After the district court granted Appellee’s motion to dismiss, Mr. Pincus timely filed a notice of appeal to the Eleventh Circuit Court of Appeals on February 5, 2019.

¹ The undersigned made several requests for Appellee’s position but has received no answer as of this filing.

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3. Accordingly, because Mr. Pincus was the plaintiff in the district court and the appellant in the Eleventh Circuit Court of Appeals, Mr. Pincus contends that he is the proper moving party here.

Dated this 15th day of February, 2021.

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By: /s/ Bret L. Lusskin, Esq.
Bret L. Lusskin, Esq.
Florida Bar No. 28069

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that this Notice has been E-filed using the E-filing Portal and that a copy has been sent via email to the following parties this 15th day of February, 2021: Kevin P. McCoy (kmccoy@carltonfields.com), Joseph H. Lang (jlang@carltonfields.com), and David R. Wright (DWright@carltonfields.com).

By: /s/ Bret L. Lusskin, Esq.
Bret L. Lusskin, Esq.