

**IN THE SUPREME COURT OF FLORIDA**

**CASE NO. SC22-122**

IN RE: REPORT AND RECOMMENDATIONS  
OF THE WORKGROUP ON IMPROVED  
RESOLUTION OF CIVIL CASES

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**REQUEST TO PARTICIPE IN ORAL ARGUMENT VIA REMOTE  
TECHNOLOGY**

The undersigned attorney, Dan Cytryn, hereby requests, pursuant to this Court's Order of October 18, 2022, and pursuant to Florida Rule of Appellate Procedure 9.320 (a) (d) and (e)(2), to be heard at the Oral Argument scheduled on December 8, 2022.

The undersigned intends to discuss his comment previously submitted regarding the proposed continuance rules 1.460(b) and 1.200(f)(5). As compared to those proposed rules, the undersigned proposes a much more tailored approach which holds those who frequently abuse the continuance rule to a stricter standard than those who have worked diligently to move their cases forward. The undersigned also intends to express why a trial judge's discretion should not be unnecessarily limited as suggested by the proposed rules. The undersigned proposes a streamlined rule that simplifies the proposal of the workgroup but at the same token accomplishes what is sought to be accomplished:

The trial court may grant a continuance of a trial for good cause shown when the continuance rule has not been abused by the party or the attorney seeking the continuance.

Additionally, the undersigned intends to briefly comment on new proposed rules 1.160 and 1.161 regarding motions and motion practice. These proposed rules will overwhelm the trial courts and their judicial assistants. Instead, the undersigned intends to espouse the system used in many judicial circuits that simplifies motion practice rather than complicates it.

The undersigned is a Board Certified Civil Trial Lawyer for more than 31 years and has tried 105 personal injury trials and has previously argued in this Court in *TGI Friday's, Inc. v. Dvorak*, 663 So. 2d 606 (Fla. 1995), *Pollock v. Florida Dept. of Highway Patrol*, 882 So. 2d 928 (Fla. 2004), and *In re Amendments To Florida Evidence Code*, 210 So. 3d 1231 (Fla. 2017).

Pursuant to Rule 9.320 (e)(2), the undersigned attorney, Dan Cytryn, seeks to be able to appear by Zoom. The undersigned is located in Coral Springs, Florida, which is 453 miles from Tallahassee. This would require an overnight stay and approximately 24 hours of inconvenient travel for a five or 10 minute oral argument at a cost of several hundred dollars.

Certainly, one of the main purposes of the newly enacted remote technology rule is to avoid requiring attorneys to personally appear when

remote technology will serve the same purpose and save the attorneys substantial time and money.

Ten (10) minutes is respectfully requested.

Dated October 27, 2022.

Respectfully submitted,

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/s/ Dan Cytryn, Esquire

Dan Cytryn, Esquire  
FBN. 318558

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on October 27, 2022, a copy of the foregoing was electronically filed via the Florida Courts E-Filing Portal, with a copy provided by U.S. Mail to Chief Judge Robert Morris, Second District Court of Appeal, P.O. Box 327, Lakeland, Florida 33802, and by email to Tina White, 500 South Duval Street, Tallahassee, Florida 32399, whitet@flcourts.org

**CERTIFICATE OF COMPLIANCE**

I certify that this document was prepared in Arial, 14-point font, in compliance with Florida Rule of Appellate Procedure 9.045.

/s/ Dan Cytryn, Esquire  
Dan Cytryn, Esquire