

September 3, 2014 12:10 PM

"Hennessey, William" <WHennessey@gunster.com>

To: Christina Merz <christina@hoffmanpa.com>, "Carr, Debbie" <DCarr@gunster.com>, David Jacoby <d.jacoby@davidhjacobypa.com>, "Jennifer Sanchez" <j.sanchez@davidhjacobypa.com>, Bill Boyes <bboyes@boyesandfarina.com>, Chris Zill <czill@boyesandfarina.com>

Cc: "jonathan.bernstein@fidf.org" <jonathan.bernstein@fidf.org>, "Teresa Hoffman" <teresa@hoffmanpa.com>, Sean Langton <sean@hoffmanpa.com>, "Alder, Wayne" <WAlder@bplegal.com>, "Bourget, Ashley" <ABourget@bplegal.com>

RE: Baum vs. Baum

Dear counsel-

Good afternoon. I received Ms. Hoffman's letter proposing a hearing date of September 11th at 10:15 am for a hearing on her client's motion for relief. For a number of reasons, I do not think that this is practical. In her letter, Ms. Hoffman indicates that she intends to call 4 witnesses. My client intends to call an additional three witnesses. It is simply not feasible to have 7 witnesses, with direct and cross, heard within an hour and 45 minutes. I think it would be imprudent to waste the judge's time and counsel time starting the hearing only to have it left unfinished that day. We also have a couple of procedural issues which we need to work through. Ms. Hoffman has indicated that she intends to call me as a witness. We are going to need to locate another lawyer to handle this particular hearing. We are going to need a brief period to get another lawyer up to speed on this matter. Further, if the hearing proceeds, we will be calling Ms. Hoffman on several key points. I'm not sure if Ms. Hoffman intends to handle the hearing but it will create a similar issue.

Lastly, and perhaps, most importantly, the 5th DCA relinquished before giving the personal representative and the charities an opportunity to respond to your motion to relinquish. We have a motion for reconsideration pending which is attached. The charities have joined in that motion. The Fifth DCA has not yet ruled.

I would suggest that rather than schedule an expedited hearing without sufficient time set aside that the Parties jointly request that the 5th DCA extend the relinquishment period for an additional 30 days to give the Fifth DCA a chance to rule on the Motion for Reconsideration and the parties an opportunity to schedule this on Judge Harris's calendar with sufficient time reserved. We are going to be filing the motion with the 5th DCA today. Please let me know whether you will agree to this additional relinquishment period. I would like to indicate your position in our motion to the 5th DCA.

Thank you.

William T. Hennessey
Gunster, Yoakley & Stewart, P.A.
777 S. Flagler Drive, Suite 500E
West Palm Beach, Florida 33401
(561) 650-0663 direct
(561) 655-5677 fax

From: Christina Merz [mailto:christina@hoffmanpa.com]

Sent: Tuesday, September 02, 2014 2:35 PM

To: Hennessey, William; Carr, Debbie; David Jacoby; Jennifer Sanchez; Bill Boyes; Chris Zill

Cc: Jennifer Pastor; jonathan.bernstein@fidf.org; 05-2012-cp-048323@gmx.fr; Teresa Hoffman; Sean Langton; Alder, Wayne; Bourget, Ashley

Subject: Baum vs. Baum

Good afternoon,

Per Mrs. Hoffman, please see attached.

Thank you,

EX B-1

Christina Merz
Legal Assistant

LAW OFFICES OF HOFFMAN & HOFFMAN, P.A.

848 Brickell Avenue, Suite 810, Miami, Florida 33131

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‡ LLM IN TAX
‡ ADMITTED IN MICHIGAN

PLEASE REPLY TO: MIAMI

September 2, 2014

William T. Hennessey, Esq.
whennessey@gunster.com
Attorney for David A. Baum

William E. Boyes, Esq.
bboyes@boyesandfarina.com
Attorney for Hadassah

David H. Jacoby, Esq.
d.jacoby@davidhjacobypa.com
Attorney for Chabad of Space Coast, Inc.

Re: Anneen Nina Gloria Baum v. David Baum, et al
Case No.: 05-2012-CP-048323

Motion for Relief from Court Orders Due to Respondent's Misrepresentation and Misconduct with respect to the Order Compelling Service (November 15, 2013) and the Order Dropping Parties and Dismissing Amended Petition (April 2, 2014)

Dear Counsel:

Pursuant to the 5th DCA's Order on our Motion to Relinquish Jurisdiction entered on August 22, 2014 [see attached] regarding the above-entitled motion, we need an **evidentiary hearing** set at the trial court level before September 22, 2014.

We contacted the Judge's office and the only time that is available within the 30 days is September 11 at 10:15 am for one hour and forty-five minutes. We intend to present evidence and call the following witnesses: William Hennessey; David Baum; Kenneth Manney; and Ronald Kostin.

Ex B-2

Please acknowledge your consent to this date so that we can reserve the only available time for the hearing consistent with the 5th DCA Order.

Thank you for your prompt attention to this matter.

Sincerely,

Hoffman & Hoffman PA
/s/Teresa Abood Hoffman, Esq.
Teresa Abood Hoffman, Esq.

TAH/cm
Enclosure

cc: Jonathan Bernstein on behalf of FIDF;
Bruce Baum
Jennifer Pastor, Judicial Assistant

October 16, 2014 11:03 AM

"Hennessey, William" <WHennessey@gunster.com>

To: Jennifer Pastor <jennifer.pastor@flcourts18.org>

Cc: Bill Boyes <bboyes@boyesandfarina.com>, Christina Merz <christina@hoffmanpa.com>, Nina Baum <anbb@me.com>, "Carr, Debbie" <DCarr@gunster.com>, Chris Zill <czill@boyesandfarina.com>, "d.jacoby@davidhjacobypa.com" <d.jacoby@davidhjacobypa.com>, Jennifer Sanchez <j.sanchez@davidhjacobypa.com>, "05-2012-cp-048323@gmx.fr" <05-2012-cp-048323@gmx.fr>, "jonathan.bernstein@fidf.org" <jonathan.bernstein@fidf.org>, Nina Baum <anbb@icloud.com>

Re: Baum vs. Baum, et al.

Dear Ms. Pastor.

✓ My client does not intend to call Mrs. Hoffman as a witness at the hearing and will not be seeking to compel her attendance. We do not object to the relief requested by Mrs. Hoffman.

William T. Hennessey
Gunster, Yoakley & Stewart, P.A.
777 S. Flagler Drive, Suite 500E
West Palm Beach, Florida 33401
(561) 650-0663 direct
(561) 655-5677 fax

Bill Hennessey

On Oct 15, 2014, at 10:34 AM, "Jennifer Pastor" <jennifer.pastor@flcourts18.org> wrote:

Thank you, Mr. Boyes.

Thank you,

Jennifer Pastor
Judicial Assistant to
John M. Harris
Circuit Court Judge
(321) 617-7287

From: Bill Boyes [mailto:bboyes@boyesandfarina.com]
Sent: Wednesday, October 15, 2014 10:09 AM
To: Christina Merz; Jennifer Pastor
Cc: Nina Baum; Hennessey, William; Carr, Debbie; Chris Zill; 'd.jacoby@davidhjacobypa.com'; Jennifer Sanchez; 05-2012-cp-048323@gmx.fr; jonathan.bernstein@fidf.org; Nina Baum; Bill Boyes
Subject: RE: Baum vs. Baum, et al.

I have no objection to Ms. Hoffman's proposed order.

WILLIAM E. BOYES Attorney At Law

Board Certified Wills, Trusts & Estates
Fellow, American College of Trust and Estate Counsel (ACTEC)

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<image001.jpg>

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Ex B-3

Per Mrs. Hoffman, please see attached.

Thank you,

Christina Merz
Legal Assistant

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