

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR BREVARD COUNTY, FLORIDA

IN RE: ESTATE OF SEYMOUR BAUM
Deceased.

PROBATE DIVISION

ANNEEN NINA GLORIA BAUM,
Petitioner/Plaintiff,

Chief Judge John M. Harris

v.

Case #: 05-2012-CP-048323

Case #: 05-2013-CP-028863

DAVID A. BAUM, *et al.*,

Respondents/Defendants.

**PETITIONER/PLAINTIFF ANNEEN NINA GLORIA BAUM'S
EMERGENCY MOTION TO PARTICIPATE TELEPHONICALLY
OR BY VIDEO TELECONFERENCING (SKYPE)
AT THE OCTOBER 21, 2014 EVIDENTIARY HEARING
OF HER "AMENDED MOTION FOR RELIEF FROM COURT ORDERS DUE
TO RESPONDENT'S MISREPRESENTATION AND MISCONDUCT"**

I, Anneen Nina Gloria Baum, being duly sworn, deposes and says:

1. I am the Petitioner/Plaintiff herein, presently without counsel. I submit this emergency motion, in an exercise of precaution, to ensure that my unstable medical condition does not cause any delay in the 3-1/2 hour evidentiary hearing on my August 13, 2014 "Amended Motion for Relief from Court Orders Due to Respondent's Misrepresentation and Misconduct", scheduled for Tuesday, October 21, 2014 (Exhibit A). In so doing, I am aided by the same independent reviewer of the record whose discoveries, embodied in a "Procedural History"¹, led my former counsel, Hoffman &

¹ Such "Procedural History", entitled "Procedural History of William Hennessey's Fraudulent and Materially False and Misleading Orders, Signed by the Court", was Exhibit A to my August 21, 2014 "Affidavit in Opposition to Defendant David Baum's Amended Dismissal

Hoffman, P.A., to amend its original May 1, 2014 “Motion for Relief from Court Orders Due to Respondent’s Misrepresentation and Misconduct”.

2. I am eagerly looking forward to participating, in person, at the evidentiary hearing and have made travel reservations for the trip from New York to Florida to do so. However, I believe it prudent to have back-up arrangements in place, in the event my unstable medical condition makes it impossible for me to undertake the exertion of the trip.

3. In the past three weeks, I have been in the emergency room three times, including on two occasions overnight – all three incidents occurring when I was travelling. Indeed, upon my travelling from Florida last May, *en route* I had to be taken to an emergency room, where I was kept overnight. Upon leaving the hospital, I again had to return to the emergency room. I was admitted to the hospital for approximately three weeks, released, and then again admitted to a hospital for over a month. Upon release, I had to be taken to the emergency room again and was admitted to the hospital for about two weeks, followed by three weeks in a convalescent facility. All told, over the past year, I have been hospitalized for more than 75 days.

4. Consequently, I respectfully request that the Court issue an order allowing me to participate at the October 21, 2014 evidentiary hearing telephonically or by video teleconferencing (skype), in the event my medical condition does not permit me to participate in person.

5. As the Court will recall, I recently participated at two hearings telephonically: on August 21, 2014 at the hearing of Mr. Hennessey’s amended dismissal

Motion”, which I furnished to Hoffman & Hoffman for deposit with the Court. Thereafter, I annexed an expanded “Procedural History” as Exhibit 1 to my September 8, 2014 affidavit to the Fifth District Court of Appeal. I unsuccessfully sought to provide both affidavits to the Court by a September 11, 2014 letter (Exhibit B) and to upload them to the electronic docket. They are now in process of finally being successfully uploaded.

motion in my 2013 case and on September 23, 2014 at the hearing of the Hoffman firm's withdrawal motion. There was no problem in the telephone reception on my end at either hearing – and I believe there was none for the Court or any of the parties.

6. Even more successful was my skype participation at the Fifth District Court of Appeal's August 5, 2014 mediation conference, which lasted almost six hours. Such skype participation followed upon the Hoffman firm's July 25, 2014 emergency motion to the Fifth District Court of Appeals to allow me to appear telephonically or *via* skype, which it granted. A copy of the motion and the Fifth District Court of Appeal's July 28, 2014 order are annexed (Exhibits C-2, C-3), as is the Hoffman firm's July 10, 2014 emergency motion to postpone the original mediation date based on my medical condition (Exhibit C-1), which the Fifth District Court of Appeals granted.

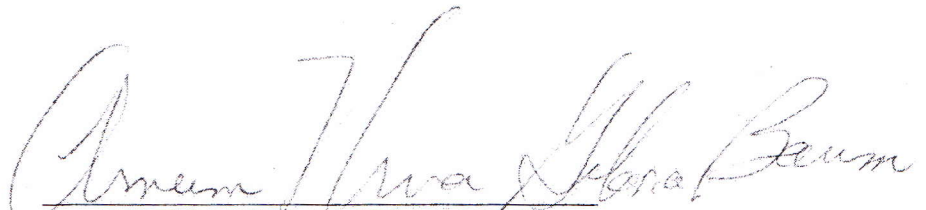
7. Should the Court wish documentation of my aforesaid emergency room treatments and hospitalizations, I am willing to furnish same for *in camera* review.

8. In the further exercise of precaution, I am simultaneously filing an affidavit clarifying, supplementing, and further supporting the Amended Motion, highlighting that:

“the record on this motion suffices for the Court's granting of the requested vacatur relief, summarily, *as a matter of law*. As hereinafter shown, Mr. Hennessey willfully led the Court into reversible error, both substantively and procedurally.” (at ¶2, underlining in the original).

A copy of that affidavit, with its dispositive Exhibits 1, 2, and 3, is separately furnished (Exhibit D) and incorporated herein by reference.

WHEREFORE, it is respectfully prayed that the Court grant this emergency motion for me to participate telephonically or by video teleconferencing (skype) at the October 21, 2014 evidentiary hearing of my “Amended Motion for Relief from Court Orders Due to Respondent's Misrepresentation and Misconduct”.


ANNEEN NINA GLORIA BAUM

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Sworn to before me this
14th day of October 2014


Notary Public



CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing document is being served on October 16, 2014, *via* an automatic email generated by the Florida Courts E-Filing Portal to:

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s/ Anneen Nina Gloria Baum

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