

IN THE CIRCUIT COURT FOR BREVARD COUNTY, FLORIDA

ANNEEN NINA GLORIA BAUM,
an individual,

Plaintiff,

vs.

DAVID A. BAUM,
as the Personal Representative of the
Estate of Seymour Baum, deceased, and
as an individual, et al.

Defendants.

PROBATE DIVISION

File No. 05-2013-CP 028863

HONORABLE JOHN M. HARRIS

NOTICE OF SPECIAL SET HEARING

(Evidentiary)(Two Hours)

You are hereby notified that the undersigned has called up for Hearing the following; Clerk and/or Judicial Assistant will you please place this cause on the Calendar as indicated.

DATE: August 28, 2014

TIME: 1:15 PM

PLACE: Harry T. & Harriette V. Moore Justice Center
2825 Judge Fran Jamieson Way
Viera, FL 32940-8006

JUDGE: Honorable John M. Harris

**SPECIFIC MATTER
TO BE HEARD:**

1. Motion for Relief from Court Orders Due to Respondent's Misrepresentation and Misconduct
2. Petitioner's Motion to Strike Personal Representative's Response to Petitioner's Motion for Relief from Order

LAW OFFICE OF HOFFMAN & HOFFMAN, P.A.

848 Brickell Avenue, Suite 810, Miami, Florida 33131 ~ Telephone: 305.372.2877 Fax: 305.372.2875

EX E-1

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of this document was served via the E-Filing Portal on July 25, 2014 to:

David A. Baum, c/o William T. Hennessey, Esq., Gunster, Yoakley & Stewart, P.A., 777 South Flagler Drive, Suite 500 East, West Palm Beach, FL 33401
(whennessey@gunster.com; dcarr@gunster.com; eservice@gunster.com)

Bruce M. Baum, the biological son and heir at law; 155 West 71st Street, Apartment 5E, New York, NY 10023; 05-2012-cp-048323@gmx.fr

The Women's Zionist Organization of America, Inc., aka Hadassah, c/o William E. Boyes, Esq., 3300 PGA Boulevard, Suite 600, Palm Beach Gardens, FL 33410
(bboyes@boyesandfarina.com; asabocik@boyesandfarina.com; czill@boyesandfarina.com)

Chabad Trustees under the Chabad Trust, c/o, David H. Jacoby, Esq., 2111 Dairy Road, Melbourne, FL 32904 (davidhjacoby@davidhjacobypa.com; j.sanchez@davidhjacobypa.com)

Friends Of Israel Defense Forces, Inc c/o Jonathan Bernstein, 1430 Broadway, Suite 1301, New York, NY 10018, jonathan.bernstein@fidf.org

LAW OFFICES OF HOFFMAN & HOFFMAN, P.A.
848 Brickell Avenue, Suite 810, Miami, Florida 33131
Telephone: 305.372.2877 / Facsimile: 305.372.2875
EService E-mail: eservice@hoffmanpa.com

By: /s/ Sean Langton
Teresa Abood Hoffman, Esq.
Florida Bar No. 871982
E-mail: teresa@hoffmanpa.com
Sean Langton, Esq.
Florida Bar No. 0084414
E-mail: Sean@hoffmanpa.com

Wayne Alder, Esq.
Florida Bar No.: 850616
E-mail: WAlder@bplegal.com

**IN THE DISTRICT COURT OF APPEAL FOR THE STATE OF FLORIDA
FIFTH DISTRICT**

ANNEEN NINA GLORIA BAUM,

Appellant,

Consolidated Case Numbers: 5D14-1683

v.

DAVID A. BAUM, et al.,

Appellees

LT Case Numbers: 05-2012-CP 048323 &
05-2013 CP 028863

_____/

DATE: July 22, 2014

APPELLANT'S MOTION TO RELINQUISH JURISDICTION

Appellant, ANNEEN NINA GLORIA BAUM, through undersigned counsel, pursuant to Fla. R. App. P. 9.600(b), hereby moves the Court for an order relinquishing jurisdiction to the trial court to allow the trial court to rule on the Appellant's / Plaintiff's Amended 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); these orders are at issue in this appeal.

1. This appeal mainly arises out of the trial court's entry of an order dropping parties and dismissing the amended petition.

2. On May 1, 2014, Appellant filed a Motion to Vacate the trial court's entry of the order which is on appeal before this Court. On August 13, 2014 Appellant filed an Amended Motion for Relief from Court Orders Due to Respondent's Misrepresentation and Misconduct (hereinafter Motion to Vacate) which detailed additional facts relevant to the grounds for vacating the order. (Exhibit A)

EX-2

3. There is a hearing on Appellant's Amended Motion to Vacate scheduled for August 28, 2014. Appellant intends to call several witnesses at that hearing which will provide evidence and support for vacating the order on appeal.

4. Appellant requests that this Court relinquish jurisdiction to the trial court for consideration of and a ruling on the Amended Motion to Vacate which could render this appeal moot.

WHEREFORE, Appellant respectfully moves the Court for an order relinquishing jurisdiction to the trial court for consideration of and a ruling on Appellant's Amended Motion to Vacate. Respectfully submitted,

BOLDT LAW FIRM

160 W. Camino Real, #262

Boca Raton, Florida 33432

Telephone: (561) 316-6531

Facsimile: (561) 228-0997

By: /s/ Kimberly L. Boldt

KIMBERLY L. BOLDT

FLA. BAR NO. 957399

JEFFREY D. MUELLER

FLA. BAR NO. 103563

eservice@boldtlawfirm.com

and

**LAW OFFICES OF HOFFMAN &
HOFFMAN, P.A.**

848 Brickell Avenue, Suite 810

Miami, Florida 33131

Telephone: 305.372.2877

Facsimile: 305.372.2875

TERESA A. HOFFMAN

FLA. BAR NO. 871982

SEAN LANGTON

FLA. BAR NO. 84414

teresa@hoffmanpa.com

sean@hoffmanpa.com

eservice@hoffmanpa.com

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of this document was served via the E-Filing Portal on August 13, 2014 to:

David A. Baum, c/o William T. Hennessey, Esq., Gunster, Yoakley & Stewart, P.A.,
777 South Flagler Drive, Suite 500 East, West Palm Beach, FL 33401
(whennessey@gunster.com; dcarr@gunster.com; eservice@gunster.com)

Bruce M. Baum, the biological son and heir at law; 155 West 71st Street, Apartment 5E,
New York, NY 10023

The Women's Zionist Organization of America, Inc., aka Hadassah, c/o William E. Boyes, Esq., 3300 PGA Boulevard, Suite 600, Palm Beach Gardens, FL 33410
(bboyes@boyesandfarina.com; asabocik@boyesandfarina.com;
czill@boyesandfarina.com)

Chabad Trustees under the Chabad Trust, c/o, David H. Jacoby, Esq., 2111 Dairy
Road, Melbourne, FL 32904 (davidhjacoby@yahoo.com)

Friends Of Israel Defense Forces, Inc c/o Jonathan Bernstein, 1430 Broadway, Suite
1301, New York, NY 10018, jonathan.bernstein@fidf.org.

Wayne Alder, Esq., Co-Counsel for Anneen Nina Gloria Baum, Becker & Poliakoff,
625 N. Flagler Drive, 7th Floor, West Palm Beach, FL 33401, walder@bplegal.com.

By: /s/ Kimberly L. Boldt
KIMBERLY L. BOLDT

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

ANNEEN NINA GLORIA
BAUM,

Appellant,

v.

CASE NO. 5D14-1652, 5D14-1683
CORRECTED

DAVID A. BAUM, ET. AL.,

Appellee.

_____ /

DATE: August 22, 2014

BY ORDER OF THE COURT:

ORDERED that Appellant's Motion to Relinquish Jurisdiction, filed August 13, 2014, is granted. Accordingly, jurisdiction is hereby relinquished to the Circuit Court for 30 days. Appellant shall file a report on the status of the proceedings below before the expiration of the relinquishment period.

*I hereby certify that the foregoing is
(a true copy of) the original Court order.*

Pamela R. Masters
PAMELA R. MASTERS, CLERK



cc:

David H. Jacoby
Teresa Abood Hoffman
Wayne Alder

Jack Joseph Aiello
William Hennessey
Clerk Brevard (2012-CP-
48323)

Kimberly L. Boldt
William E. Boyes

EX E-3