POMPANO SENIOR SQUADRON FLYING CLUB, INC., a Florida corporation,

Plaintiff,

V

CARL KENNEDY, individually,

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-	CICI	raunt.

IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT IN AND FOR ROWARD COUNTY FLORIDA

CASE NO.:CACE 20-005993 (08)

MOTION FOR JUDICIAL DEFAULT AND MOTION IN OPPOSITION TO SECOND MOTION FOR EXTENSION OF TIME

Plaintiff, POMPANO SENIOR SQUADRON FLYING CLUB, INC. (Plaintiff "Flying Club"), by and through its undersigned counsel, files this Motion for Judicial Default and Opposition to Second Motion for Extension of Time against Defendant CARL KENNEDY (Defendant "Kennedy") and says:

- 1. Plaintiff Flying Club filed suit against Defendant Kennedy on or about April 7. 2020, almost three (3) months ago.
- 2. After being served, Defendant Kennedy entered into an Agreed Order with Plaintiff Flying Club, based upon Defendant Kennedy's request for an extension of time so that he could obtain counsel, granting that extension. The Agreed Order was entered by this Court on June 5, 2020, and gave Defendant Kennedy until July 1, 2020, to file responsive pleadings to Plaintiff Flying Club's Complaint. A copy of Order is attached hereto as Plaintiff Flying Club's Exhibit #1.
- 3. Now, on July 1, in defiance of that Agreed Order, Defendant Kennedy now files a Second Motion for Extension of Time and improperly cites to a Bar Complaint as a

basis for needing additional time or, in the alternative, asks that the Plaintiff Flying Club pay Defendant Kennedy's attorney fees.

- 4. Bar Complaints are confidential until such time as The Florida Bar renders its decision as to the allegations of any alleged Complaint.
- 5. Defendant Kennedy now improperly relies upon his own such violation to seek an extension of time from this Court. Additionally, Defendant Kennedy requests attorney fees from Plaintiff Flying Club with no basis whatsoever for such request.
 - 6. Defendant Kennedy's actions herein are simply an attempt to delay and harass.
- 7. Under the Florida Rules of Civil Procedure and case law, Defendant Kennedy, as an individual, can represent himself pro se in this matter and has had three (3) months to obtain counsel if he wanted to act otherwise.
- 8. Defendant Kennedy is withholding vital financial information from Plaintiff
 Pompano which forms the basis of this lawsuit and his continued delay continues to impair
 the ability of Plaintiff Flying Club to effectively operate its business.

WHEREFORE, Plaintiff Flying Club moves this Honorable Court for entry of a judicial default against Defendant Kennedy for failure to file a responsive pleading, and any other relief that this Court deems just and equitable.

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent via eportal this 1st day of July 2020, to Carl L. Kennedy, II, clktax@aol.com

/s/Edward F. Holodak EDWARD F. HOLODAK, ESQ. Attorney for Plaintiff Fla. Bar No.: 059234 Edward F. Holodak, P.A. 7951 SW 6th Street, Ste. 210 Plantation, FL 33324 Tel.: 954-927-3436

IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA

CASE NO. CACE20005993 DIVISION 08 JUDGE David A Haimes

Pompano Senior Squadron Flying Club, In	c.
Plaintiff(s) / Petitioner(s)	
Carl Kennedy	
Defendant(s) / Respondent(s)	

AGREED ORDER

THIS CAUSE having come to be heard on Defendant's, CARL KENNEDY (Defendant "Kennedy") Motion for Extension of Time to Obtain Counsel and respond to Plaintiff's, POMPANO SENIOR SQUADRON FLYING CLUB, INC. (Plaintiff "Flying Club") Complaint, the Court considering the pleadings herein, the Court considering the agreement of the parties, and the Court being otherwise fully advised, it is:

ORDERED AND ADJUDGED:

- Defendant Kennedy's Motion for Extension of Time is hereby GRANTED.
- 2. Defendant Kennedy shall have until July 1, 2020 to file his responsive pleading to Plaintiff Flying Club's Complaint.

DONE and ORDERED in Chambers, at Broward County, Florida on 06-05-2020.

CACE20005993 06-05-2020 9:08 AM

CACE20003993 06-03-2020 9-08 AM

Hon. David A Haimes

CIRCUIT JUDGE

Electronically Signed by David A Haimes

Copies Furnished To:

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Exhibit#1