

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

SUNWOOD, INC.,

CASE NO. 21-003202 CACE 12

Plaintiff,

vs.

POMPANO SENIOR SQUADRON FLYING
CLUB, INC.,

Defendant.

PLAINTIFF'S MOTION TO COMPEL AND FOR SANCTIONS

Plaintiff, through its undersigned counsel, moves this Court for an Order compelling subpoenaed witness Paul K. Sanchez, to provide discovery and for sanctions and as grounds therefore states:

1. On May 11, 2021, the Plaintiff served witness Paul K. Sanchez with a Subpoena Duces Tecum requesting production of a recording.
2. Despite having been served, Mr. Sanchez have failed to provide a response to the Subpoena Dices Tecum.
3. The Plaintiff is entitled to the discovery sought.
4. Rule 1.380(a)(4), Fla.R.Civ.P., states that “the court **shall** require the party or deponent whose conduct necessitated the motion ... to pay to the moving party the reasonable expenses incurred in obtaining the order that may include attorneys’ fees....” *See Summit Chase Condo. Ass’n, Inc., v. Protean Investors, Inc.*, 421 So.2d 562 (Fla. 3d DCA 1982).
5. The undersigned certifies that he has made a good faith effort to obtain the discovery

without court action.

WHEREFORE, Plaintiff respectfully requests that this Court grant his Motion to Compel, order the witness, Paul K; Sanchez, to provide a response to the outstanding discovery and award the Plaintiff its reasonable attorney's fees.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been sent via email this May 11, 2021, to Edward F. Holodak, Esq., through the Court's efilng portal, and by U.S. Mail to Paul K; Sanchez, 10643 Shore Drive, Boca Raton, FL 33428.

LAW OFFICES OF DANE STANISH, P.A.
3475 Sheridan Street, Suite 209
Hollywood, FL 33021
Telephone (954) 923-0524
Facsimile (954) 212-0770
Stanishd@gmail.com

By: /s/ Dane T. Stanish
Dane T. Stanish
Florida Bar # 931993

VERIFIED RETURN OF SERVICE

State of Florida

County of Broward

Circuit Court

Case Number: CACE-21-003202 Court Date: 6/4/2021 1:00 pm

Plaintiff:
Sunwood, Inc.

vs.

Defendant:
Pompano Senior Squadron Flying Club, Inc.,

For:
Dane T. Stanish
DANE STANISH, P.A.
3475 Sheridan Street
Suite 209
Hollywood, FL 33021

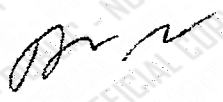
Received by Michael Gonedes on the 7th day of May, 2021 at 12:45 pm to be served on Paul K. Sanchez, 10643 Shore Drive, Boca Raton, FL 33428.

I, Michael Gonedes, do hereby affirm that on the 11th day of May, 2021 at 7:41 am, I:

SUBSTITUTE RESIDENTIAL: served by delivering a true copy of the Subpoena Duces Tecum with the date and hour of service endorsed thereon by me, to: Roberta Smith as Co-Resident, who was fifteen (15) years of age or older, resided at the time of service 10643 Shore Drive, Boca Raton, FL 33428, which was also Paul K. Sanchez's usual place of abode, and informed said person of the contents therein, in compliance with Florida Statute 48.031 or other state statute as applicable.

Description of Person Served: Age: 65, Sex: F, Race/Skin Color: White, Height: 5'6", Weight: 150, Hair: Blonde, Glasses: N

Under penalties of perjury, I declare that I have read the foregoing and that the facts stated in it are true. I am over the age of 18, have no interest in the above action, and am a Certified Process Server, in good standing, in the county in which service was effected in accordance with State Statutes.



Michael Gonedes
Process Server 1980

L.R.I. (Attorney's Support Services)
1011 South Federal Highway
Hollywood, FL 33020
(954) 844-3900

Our Job Serial Number: LRA-2021002387
Ref: LRA#2021002387



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POMPANO SENIOR SQUADRON FLYING
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Defendant.

5/11/21
7:41am
NC # 1980

SUBPOENA DUCES TECUM

THE STATE OF FLORIDA

TO: Paul K. Sanchez, 10643 Shore Drive, Boca Raton, FL 33428

YOU ARE COMMANDED to appear at Law Offices of Dane Stanish, P.A., 3475 Sheridan Street, Suite 209, Hollywood, Florida 33021 on June 4, 2021, at 1:00 p.m., and to have with you at that time and place the following:

A copy of the recording of the meeting of the Pompano Senior Squadron Flying Club held on February 12, 2020, and any minutes or notes taken by you of that meeting.

These items will be inspected and may be copied at that time. You will not be required to surrender the original items. You may comply with this subpoena by providing legible copies of the items to be produced to the attorney whose name appears on this subpoena on or before the scheduled time of production. You may condition the preparation of the copies upon the payment in advance of the reasonable cost of preparation. You may deliver or mail the copies to the attorney whose name appears on this subpoena and thereby eliminate your appearance at the time and place

specified above. You have the right to object to the production pursuant to this subpoena at any time before production by giving written notice to the attorney whose name appears on this subpoena.

THIS IS NOT A DEPOSITION. NO TESTIMONY WILL BE TAKEN. If you fail to:

- (1) appear as specified; or
- (2) furnish the records instead of appearing as provided above; or
- (3) object to this subpoena,

you may be held in contempt of court. You are subpoenaed to appear by the following attorney and unless excused from this subpoena by this attorney or the court, you shall respond to this subpoena as directed.

DATED on May 16, 2021.

LAW OFFICES OF DANE STANISH, P.A.
Attorney for Plaintiff
3475 Sheridan Street, Suite 209
Hollywood, Florida 33021
(954) 923-0524
stanishd@gmail.com
Florida Bar #931993

DANE T. STANISH
For the Court

By: /s/ Dane T. Stanish
Dane T. Stanish