

**IN THE SMALL CLAIMS COURT
NORTH REGIONAL COURTHOUSE, BROWARD COUNTY, FLORIDA**

LLOYD DAVID HILL, and
GRAHAM DAVID HILL

Co-Plaintiffs,

vs.

Case No.: CONO 20 010538 (71)

POMPANO SENIOR SQUADRON FLYING CLUB,
DBA – POMPANO BEACH FLYING CLUB,
A Florida corporation,

Defendant.

MOTION TO CORRECT CLERICAL ERROR

Plaintiffs LLOYD DAVID HILL and GRAHAM DAVID HILL (“Plaintiffs” or “Hills”), proceeding *pro se*, hereby move this Court to correct a clerical error pursuant to Rule 7.190(a) of the Florida Small Claims Rules regarding the Court’s *Notice of Filing*, recorded December 13, 2021.

1. On December 9, 2021, Plaintiff Lloyd Hill sent an email to the Court’s Judicial Assistant in an effort to coordinate scheduling for a Special Set Hearing on a pending motion (*Plaintiffs’ Motion to Strike With Prejudice*, filed November 23, 2021). See **Exhibit A**, attached.

2. The Court’s Judicial Assistant replied the next morning, December 10, 2021 (See **Exhibit A**), implying Plaintiff Lloyd Hill’s request for scheduling assistance was improper *ex parte* communication because counsel for Defendant had not been copied on the email (which the Judicial Assistant remedied by copying counsel for Defendant on her reply).

3. Later on December 10, 2021, Plaintiff Lloyd Hill “replied to all,” including counsel for Defendant (See **Exhibit A**), explaining that his contact was purely administrative and was only necessary because the Court Management System (CMS) was restricted to attorneys.

4. On December 13, 2021, the Court filed a *Notice of Filing* stating that an “email thread” was attached to the *Notice of Filing*.

5. However, the Court’s December 13, 2021, *Notice of Filing* was one page and did not include an “email thread.”

6. Since the Court apparently believes this “email thread” is important for the record, and since the Court stated this “email thread” was attached to their *Notice* when it was not, Plaintiffs move for correction of this clerical error – as permitted by Rule 7.190(a) of the Florida Small Claims Rules – by amending the Court’s December 13, 2021 *Notice of Filing* to attach the “email thread” (See **Exhibit A**).

WE HEREBY CERTIFY that, on the 24th day of December 2021 a true and correct copy of the foregoing was e-filed in the electronic portal and has thereby been transmitted to Edward F. Holodak, Esq, counsel for Defendant, 7951 SW 6th St, Suite 210, Plantation, FL 33324, pleadings@holodakpa.com.

/s/
LLOYD DAVID HILL
Plaintiff
2728 NE 12th Street
Pompano Beach, FL 33062-3811
(954) 683-1584

/s/
GRAHAM DAVID HILL
Plaintiff
2728 NE 12th Street
Pompano Beach, FL 33062-3811
(954) 683-1584

From: Lloyd Hill <LHill@ourhillhouse.com>

Subject: Re: Motion Hearing Schedule in Hills vs. Pompano Senior Squadron Flying Club, Inc.

Date: December 10, 2021 at 5:46:17 PM EST

To: Alicia Ray <aray@17th.flcourts.org>

Cc: Edward Holodak <pleadings@holodakpa.com>

Ms. Ray,

Thank you for your reply and copying counsel for Defendant.

I only wrote you in hopes of efficiently addressing what I thought would be a simple scheduling matter. Additionally, I felt my inquiry was in accordance with the published rules for Division 71 (<http://www.17th.flcourts.org/division-71/>) which, because I am not an attorney, require assistance from the Judicial Assistant to schedule a Special Set Hearing. But, to the extent you considered my inquiry to be "ex parte" communication, it seems you immediately remedied that when you copied Mr. Holodak on your reply to my inquiry.

With regard to your comment that all requests "of the Court must be written in the form of a motion and filed with the Clerk," I don't understand. I may have been unclear in my previous email, but I have already filed my *Motion to Strike With Prejudice* on November 23, 2021. The Division 71 rules state that "all motions must be filed with the Clerk's Office prior to scheduling all hearings." As I said, the motion I am seeking to schedule a hearing on has already been filed (on November 23, 2021), so that standard has been met. While the rules go on to state that it is "not necessary to contact the Court's Judicial Assistant" to schedule a Special Set Hearing, the CMS system it directs to for self-scheduling a hearing is only available to attorneys. That is why I asked for your assistance; There was no way for me to see available dates/times or self-schedule said hearing.

Therefore, I am again respectfully requesting your assistance to facilitate efficient scheduling by informing me of dates/times that may be available for the Court to hear my *Motion to Strike* if it cannot be heard on February 4, 2021 before entertaining my *Motion to Unseal*. When I receive that information, I will be able to coordinate the date/time with Defendant's counsel and file a notice accordingly.

R/

Lloyd Hill

On Dec 10, 2021, at 9:06 AM, Alicia Ray <aray@17th.flcourts.org> wrote:

Good morning Mr. Hill,

Your communication appears to be ex-parte, in other words the Defendant has not been cc'd on this email. In addition, anything you want to request of the Court must be written in the form of a motion and filed with the Clerk.

Thank you,

cc: Ed Holodak

On Thu, Dec 9, 2021 at 6:09 PM Lloyd Hill <LHill@ourhillhouse.com> wrote:

To: Alicia Ray - Judicial Assistant <div71@17th.flcourts.org>

Subject: Motion Hearing Schedule in Hills vs. Pompano Senior Squadron Flying Club, Inc.

Dear Ms. Ray,

Good Day. I hope this email finds you well as the holiday season rapidly approaches.

I am writing about the Court's re-scheduled in-person 15-minute Special Set Hearing to occur on February 4, 2022 at 10:00am to hear my *Motion to Unseal and Rescind Confidentiality*.

On November 23rd, unfortunately after notice for the aforementioned hearing was issued, I filed a *Motion to Strike With Prejudice* regarding a pleading Defendant filed on November 19th. I am writing to inquire about the Court's preference on hearing my *Motion to Strike*. Although it is possible that Judge Schiff may want a separate (earlier) Special Set Hearing to consider my *Motion to Strike*, it might be more efficient to extend (perhaps from 15 minutes to 30 minutes) the already-scheduled hearing on February 4, 2022.

I favor the more efficient extension on February 4th, but if Judge Schiff wants to hear the *Motion to Strike* before then, can you please give me some dates and times, and I will make an effort to coordinate a date/time with Defendant's counsel. If an extension on February 4th is preferred to hear my *Motion to Strike* before proceeding to any other business, please let me know.

Thank you for your time. Best wishes for a safe and enjoyable holiday season.

R/

Lloyd Hill

Alicia F. Ray

Alicia F. Ray
Judicial Assistant to
Judge Louis H. Schiff
954-831-7839

Div71@17th.flcourts.org (civil) Divna@17th.flcourts.org (criminal)
ALL Judge Schiff hearings will be held via Zoom until February of 2022
<https://17thflcourts.zoom.us/j/294767991> Meeting ID: 294767991

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