

THE CIRCUIT COURT OF THE
FOURTH JUDICIAL CIRCUIT IN AND
FOR DUVAL COUNTY, FLORIDA

BANK OF AMERICA, N.A., a nationally chartered
banking association,

Plaintiff,

vs.

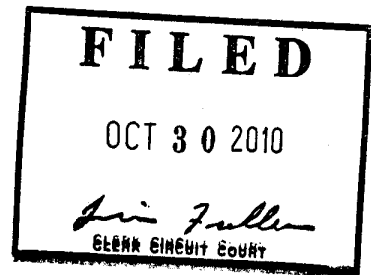
GWINNETT, LLC, an administratively dissolved
Florida limited liability company; SUMMIT
AUTOMOTIVE GROUP, LLC, a Florida limited
liability company; 11-2001, LLC, a Florida limited
liability company; PREMIER CHRYSLER, JEEP
DODGE, LLC, a Georgia limited liability company;
PREMIER AUTOMOTIVE ON ATLANTIC, LLC, a
Florida limited liability company; PREMIER
AUTOMOTIVE AT THE AVENUES, LLC, a Florida
limited liability company; NORTHSIDE
CONSULTING, LLC, an administratively dissolved
Florida limited liability company; INFINIQUEST
LLC, a Delaware limited liability company; SAM
KAZRAN, an individual; JOSHUA FARID, an
individual; ARAM ASKARIFAR, an individual;
ONYXX DEVELOPMENT GROUP, LLC, a Florida
limited liability company, US OUTFITTERS, LLC, a
Florida limited liability company, 10-2008, LLC, a
Florida limited liability company, and
JACKSONVILLE AUTO MALL, LLC, a Florida
limited liability company

Defendants.

*Filed in open court
Jan 2010
Case No. 16-2008-13005
10/29/10*

Case No. 16-2008-13005

Division: CV-E



CASE MANAGEMENT REPORT

1. Meeting of Parties:

<u>Name</u>	<u>Counsel for:</u>
Rob Eckard, Esquire	US Outfitters, LLC, Aram Askarifar

[REDACTED]

[REDACTED] US Outfitters, LLC, Aram
Askarifar

[REDACTED] [REDACTED]

Gilbert Feltel Plaintiff

Thomas Bishop Plaintiff

2. **Joint Discovery Plan:** The parties jointly propose the following discovery plan applicable to each of the Parties:

a. Every discovery effort the Parties plan to pursue is described below. The description of each discovery effort will be listed under the appropriate heading below and will include the subject matter of the discovery and the time during which the discovery will be pursued:

(1) Requests for Admissions:

The parties may submit requests for admission as they become necessary and in accordance with the Florida Rules of Civil Procedure; nothing in this discovery plan is intended to limit the rights of the parties otherwise afforded them under the Florida Rules of Civil Procedure. However, all discovery, with the exception of expert witness depositions, shall be commenced at such time as to allow all such discovery to be completed by no later than March 15, 2011.

(2) Written Interrogatories:

The parties may submit interrogatories as they become necessary in accordance with the Florida Rules of Civil Procedure; nothing in this discovery plan is intended to limit the rights of the parties otherwise afforded them under the Florida Rules of Civil Procedure. However, all discovery, with the exception of expert witness depositions shall be commenced at such time as to allow all such discovery to be completed by no later than March 15, 2011.

(3) Request for Production or Inspection:

The parties may submit requests for production as they become necessary in accordance with the Florida Rules of Civil Procedure; nothing in this discovery plan is intended to limit the rights of the parties otherwise afforded them under the Florida Rules of Civil Procedure. However, all discovery, with the exception of

expert witness depositions shall be commenced at such time as to allow all such discovery to be completed by no later than March 15, 2011.

(4) Oral Depositions:

All fact witness depositions, excluding expert witness depositions, shall be completed no later than March 15, 2011, subject to the Court's approval of the trial date indicated below or further Order of this Court. Plaintiff and Defendants shall be entitled to take up to 15 depositions without leave of Court. To the extent either Plaintiff or Defendants require additional depositions over and above this amount, such depositions may only be had with the consent of opposing counsel or with leave of court upon good cause shown.

- b. Disclosure of Expert Testimony: The parties stipulate, in accordance with Florida Rules of Civil Procedure, disclosure for each Party will be due no later than March 1, 2011 for the Party seeking affirmative relief for the claim for which the expert testimony is offered (whether by Plaintiff or Defendants) and March 15, 2011 counter experts for the Party against whom affirmative relief is sought in the claim for which the expert testimony is offered (whether Plaintiff or Defendants). The Party disclosing an expert will ensure such expert is available over the 30 days after disclosure for deposition and will provide the opposing Party not less than 3 separate dates for that expert's deposition. All expert witness disclosures shall include:

- (1) Complete information regarding the witnesses qualifications as an expert;
- (2) The subject matter upon which the expert witness is expected to testify;
- (3) The substance and facts and opinions to which the expert witness is expected to testify; and
- (4) A summary of the grounds for each opinion.

All expert discovery will be commenced in time for it to be completed on or before April 22, 2011.

- c. Supplementation of Disclosures and Responses: The parties agree that supplementation under Florida Rules of Civil Procedure will be provided within 10 days of a Party identifying previously undisclosed information responsive to a prior discovery request.

3. Joint Discovery Plan - Other Matters: Discovery matters will be handled in accordance with Duval County Administrative Order 88-2 and the Florida Rules of Civil Procedure.
4. Amendments to Pleadings: Any motion seeking leave to amend that Party's pleadings shall be filed no later than March 22, 2011.

5. **Potentially Dispositive Motions:** Potentially dispositive motions (summary judgment or otherwise) may be filed by any Party at any time on or before April 8, 2011.

6. **Settlement and Alternative Dispute Resolution:**

(a) **Settlement:** The Parties agree that settlement is (check one):

_____ Likely X Unlikely

(b) **Mediation:** The Parties have mediated twice in this action before William Cooper, Esq. To the extent any party seeks an additional mediation conference, it may do so by motion to the Court by no later than April 1, 2011.

7. **Final Pretrial Conference and Trial:** Parties and counsel agree that they will be ready for a final pretrial conference on or after May 2, 2011 and for trial on or after May 16, 2011. Counsel agrees to meet and confer no later than three (3) days before the Pretrial Conference to submit a proposed Uniform Pretrial Conference Order. Counts 10 through 13 of the Second Amended Complaint may be tried separately to a jury as they may not be subject jury trial waiver set forth in the parties' various contracts. Although subject to this order for all pre-trial deadlines, trial of Counts 10 through 13 will be subject to a separate trial set order.

This [] Jury [X] Non-Jury trial is expected to take approximately 3 days.

8. **Pretrial Disclosures and Final Pretrial Procedures:** Parties acknowledge that they are aware of and will comply with pretrial disclosures requirements in Florida Rules of Civil Procedure.

9. **Motions in Limine:** Parties agree that all Motions in Limine will be filed no later than 5 days prior to the date set for the Final Pretrial Conference.

10. **Trial Memorandum, Proposed Jury Instructions or Proposed Findings of Fact and Conclusions of Law** with the Clerk of Court no later than five (5) days before the commencement of the trial term beginning May 16, 2011 .

11. **Other Matters (if any):** None at this time.