IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

CA FLORIDA HOLDINGS, LLC,
Publisher of the PALM BEACH POST,

Plaintiff,

v. CASE NO.: 19-CA-014681

DAVE ARONBERG, as State Attorney of Palm Beach County, Florida; SHARON R. BOCK, as Clerk and Comptroller of Palm Beach County, Florida.

Defendants.
_____/

AMENDED & SUPPLEMENTAL AFFIDAVIT OF ATTORNEYS' FEES & COSTS

STATE OF FLORIDA
COUNTY OF NASSAU

BEFORE ME, the undersigned authority appeared Douglas A. Wyler, Esq., who, after being first duly sworn, deposes and says:

1. Affiant is a partner of JACOBS, SCHOLZ & WYLER, LLC, counsel for Defendant, DAVE ARONBERG, as State Attorney of Palm Beach County, Florida, ("Aronberg"), as well as general counsel to the Florida Prosecuting Attorneys Association, ("FPAA"), and makes this Affidavit of his own personal knowledge.

2. Affiant is licensed to practice law in the State of Florida, is an active member of the Florida Bar in good standing and has engaged in the practice of law in the State of Florida since 2015.

3. As detailed herein, the services rendered by Affiant and his firm pertain to Affiant's demand letter and motion for attorneys' fees sent to Plaintiff's counsel pursuant to § 57.105, Florida Statutes, on June 8, 2020, in defending against Count I of Plaintiff's Amended Complaint.

Plaintiff's October 21, 2020 Notice of Dropping State Attorney, Dave Aronberg from the above-captioned lawsuit, and Defendant Aronberg's Amended Motion for Attorneys' Fees filed on November 9, 2020. ***See, Exhibits "A", "B", and "C" attached hereto.***

4. The total time Affiant's law firm has expended services rendered to date is **161.1 hours**; however, from the date of Defendant Aronberg's 57.105 demand, Affiant's law firm has expended a total of **129 hours**.

5. Of the 129 hours expended since Defendant Aronberg's 57.105 demand was served, the total time Affiant has expended services rendered to date is **116.2 hours** at the rate of **$425.00 per hour**. Likewise, the total time Affiant's law partner, Arthur I. Jacobs, has expended services rendered to date is **12.8 hours** at the rate of **$475.00 per hour**.

6. Accordingly, since Defendant Aronberg's 57.105 demand was served, Defendant Aronberg's counsel, JACOBS, SCHOLZ & WYLER, LLC, has rendered services in the amount of **$55,465.00** (calculated at 116.2 hours x $425.00/ hour + 12.8 hours x $475.00/hour), in conjunction with the defense of the instant action pursuant to § 57.105, Florida Statutes. ***See, Exhibit "D" attached hereto.***

7. Affiant expects to incur an additional 15.0 hours at $425.00 an hour in preparing for, traveling to, and attending the hearing on attorneys' fees. Thus, the total amount of hourly attorneys' fees the State Attorney is seeking is **144 hours** for a total of **$61,840.00** (calculated at 131.2 hours x $425.00/hour + 12.8 hours x $475.00).

8. In addition to the legal fees, Affiant's law firm incurred expenses for costs during the defense of Defendant Aronberg. These costs include the costs taxable pursuant to Fla. Stat. § 57.041 and total **$1,482.77**. Affiant expects to incur an additional **$800.00** in costs relating to the proceeding on Defendant Aronberg's Amended Motion for Attorneys' Fees and Costs. Thus, the

total amount of costs sought to be reimbursed herein total **$2,282.77**. ***See, Exhibit "D" attached hereto.***

9. The attorneys' fees and costs incurred by Affiant's law firm on behalf of Defendant Aronberg are reasonable. Moreover, the hourly rate charged to the client was reasonable for this geographic region as was the time and labor required, the skill requisite to perform the legal services properly, the experience, reputation, and ability of the attorneys, the amount in controversy, and the results obtained.

Dated this 12th day of April, 2022.

FURTHER AFFIANT SAYETH NOT.

Douglas A. Wyler, Esq., Fla. Bar No. 119979

STATE OF FLORIDA
COUNTY OF NASSAU

The foregoing instrument was acknowledged before me by means of physical appearance this 12th day of April, 2022, by Douglas A. Wyler, Esquire, who is personally known to me and who did take an oath.

Signature of Notary Public – State of Florida

TARAN R JACKSON
Notary Public - State of Florida
Commission # GG 354841
My Comm. Expires Aug 17, 2023
Bonded through National Notary Assn.

Name typed, printed or stamped

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of April, 2022, a copy of the foregoing Amended & Supplemental Affidavit of Attorneys' Fees and Costs has been electronically filed with the Florida E-File Portal for e-service on all parties of record herein.

JACOBS SCHOLZ & WYLER, LLC

/s/ Douglas A. Wyler

Arthur I. Jacobs, Esq.
Fla. Bar No.: 10249
Richard J. Scholz, Esq.
Fla. Bar No.: 0021261
Douglas A. Wyler, Esq.
Fla. Bar No.: 119979
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Attorneys for Defendant, Dave Aronberg

EXHIBIT "A"

EXHIBIT "A"

JACOBS SCHOLZ & WYLER, LLC.

A LIMITED LIABILITY COMPANY OF PROFESSIONAL ASSOCIATIONS
ATTORNEYS AT LAW
GATEWAY TO AMELIA
961687 GATEWAY BLVD., SUITE 201-I
FERNANDINA BEACH, FLORIDA 32034

TELEPHONE (904) 261-3693
FAX NO. (904) 261-7879

THE LAW OFFICES OF
JACOBS & ASSOCIATES, P.A.
ARTHUR I. JACOBS

RICHARD J. SCHOLZ, P.A.
RICHARD J. SCHOLZ

DOUGLAS A. WYLER, P.A.
DOUGLAS A. WYLER

June 8, 2020

VIA ELECTRONIC & U.S. MAIL
Stephen A. Mendelsohn, Esq.
Greenburg Traurig, P.A.
5100 Town Center Circle, Suite 400
Boca Raton, FL 33486

RE: CA Florida Holdings, LLC v. Dave Aronberg et al.
Palm Beach County, Case No.: 2019-CA-014681

Dear Mr. Mendelsohn:

As you are aware our firm represents the interests of Dave Aronberg, as State Attorney of Palm Beach County, Florida, in the above referenced matter. The purpose of this letter is to demand the voluntary dismissal of your First Amended Complaint, (the "Complaint"), dated January 17, 2020. This demand is made pursuant to section 57.105, Florida Statutes.

As you know, Section 57.105 provides:

(1) Upon the court's initiative or motion of any party, the court shall award a reasonable attorney's fee, including prejudgment interest, to be paid to the prevailing party in equal amounts by the losing party and the losing party's attorney on any claim or defense at any time during a civil proceeding or action in which the court finds that the losing party or the losing party's attorney knew or should have known that a claim or defense when initially presented to the court or at any time before trial:

a. Was not supported by the material facts necessary to establish the claim or defense; or
b. Would not be supported by the application of then-existing law to those material facts.

Today, Judge Marx granted, with prejudice, Defendant Aronberg's Motion to Dismiss Count II of the Plaintiff's Complaint. Pursuant to the Court's ruling, the Plaintiff's only remaining cause of action consists of Count I, for Declaratory Relief. Accordingly, we believe that the Complaint filed herein and its sole remaining Count for Declaratory Relief is not supported by the material facts necessary to establish the claims asserted, and that your claims are not supported by the application of current law to said material facts.

First and foremost, the Complaint is not supported by the material facts necessary to establish the claims asserted because neither Defendant Aronberg, nor The Office of the State Attorney for the Fifteenth Judicial Circuit is in custody or control of the 2006 grand jury materials sought therein. Simply put, the declaratory relief sought by the Plaintiff, seeks records from my client that are impossible for him or his office to produce. Accordingly, Defendant Aronberg is not a proper party to this action because no matter what, he and his office do not have possession, custody, or control of the requested materials.

In addition to the foregoing material facts that negate the claims asserted in the Complaint, your claims are also not supported by the application of current law. Specifically, your action for declaratory relief fails based on the clear, unambiguous statutory language found in Section 905.27(2), Florida Statutes, which states:

> When such disclosure is ordered by a court pursuant to subsection (1) for use in a civil case, it may be disclosed to all parties to the case and to their attorneys and by the latter to their legal associates and employees. However, *the grand jury testimony* afforded such persons by the court *can only be used in the defense or prosecution of the civil or criminal case and for no other purpose whatsoever*.

Moreover, even if the Plaintiff were to prevail in the declaratory action, Mr. Aronberg would be unable to comply with any court order granting disclosure of the requested documents because neither Mr. Aronberg nor The Office of the State Attorney for the Fifteenth Judicial Circuit have possession, custody, or control of the 2006 Epstein grand jury records.

Based on the foregoing, if the Complaint is not dismissed within 21 days of the service of this letter, the enclosed Motion for Attorney's Fees will be filed and we will seek as sanctions, from your client and your firm, recovery of the legal expenses incurred in defending this frivolous action.

Please govern yourself accordingly,

Douglas A. Wyler, Esq.
For the Firm

Encl.: Defendant's Motion for Attorneys' Fees

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

CA FLORIDA HOLDINGS, LLC,
Publisher of the PALM BEACH POST,

Plaintiff,

v. CASE NO.: 19-CA-014681

DAVE ARONBERG, as State Attorney of Palm Beach County, Florida; SHARON R. BOCK, as Clerk and Comptroller of Palm Beach County, Florida.

Defendants.
_____/

DEFENDANT, DAVE ARONBERG'S MOTION FOR ATTORNEYS' FEES

Defendant, DAVE ARONBERG, as State Attorney of Palm Beach County, Florida, by and through the undersigned attorneys, moves the Court, pursuant to Florida Statutes, Section 57.105, to award him reasonable attorneys' fees for the defense of Plaintiff's First Amended Complaint, (the "Complaint"), and as grounds therefor, would show that on June 8, 2020, Plaintiff was served a copy of this Motion, together with a letter from the undersigned attorney, in accordance with subsection (4) of the above Statute, demanding dismissal of the Complaint, at least 21 days prior to the filing of this Motion. In said letter, Defendant's attorney advised Plaintiff of the facts which establish that the Complaint is without support of the facts or the law.

WHEREFORE, Defendant, DAVE ARONBERG, as State Attorney of Palm Beach County, Florida, respectfully requests the Court enter an Order requiring Plaintiff and Plaintiff's attorneys to pay said Defendant's attorneys' fees incurred herein after service of this Motion.

FILED: PALM BEACH COUNTY, FL, JOSEPH ABRUZZO, CLERK. 3/27/2023 4:20:48 PM

CERTIFICATE OF SERVICE

I hereby certify that on this ____ day _____, 2020, the foregoing was electronically filed via the Florida E-File Portal for electronic service on the parties of record herein.

JACOBS SCHOLZ & WYLER, LLC

/s/ Douglas A. Wyler

Arthur I. Jacobs, Esquire
Fla. Bar No.: 108249
Richard J. Scholz, Esquire
Fla. Bar No.: 0021261
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jacobsscholzlaw@comcast.net

Attorneys for Defendant

EXHIBIT "B"

EXHIBIT "B"

Filing # 115383434 E-Filed 10/21/2020 04:13:35 PM

IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT IN AND
FOR PALM BEACH COUNTY, FLORIDA

CA FLORIDA HOLDINGS, LLC,
Publisher of *THE PALM BEACH POST*,

Plaintiff,

v.

DAVE ARONBERG, as State Attorney of Palm Beach County, Florida; SHARON R. BOCK, as Clerk and Comptroller of Palm Beach County, Florida,

Defendants.

CASE NO.: 50-2019-CA-014681-XXXX-MB

DIVISION: AG

PLAINTIFF CA HOLDINGS, LLC'S
NOTICE OF DROPPING STATE ATTORNEY, DAVE ARONBERG

Plaintiff, CA HOLDINGS, LLC, pursuant to Fla. R. Civ. P. 1250(b), hereby notifies the parties that it has dropped State Attorney, Dave Aronberg from the above case.

Respectfully submitted,

GREENBERG TRAURIG, P.A.
Attorneys for CA Florida Holdings, LLC, Publisher of The Palm Beach Post

Stephen A. Mendelsohn, Esq.
401 East Las Olas Boulevard Suite 2000
Boca Raton, Florida 33486
Telephone: (561) 955-7629
Facsimile: (561) 338-7099

By: */s/ Stephen A. Mendelsohn*
STEPHEN A. MENDELSOHN
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FILED: PALM BEACH COUNTY, FL, JOSEPH ABRUZZO, CLERK. 3/27/2023 4:20:48 PM

By: */s/ Michael J Grygiel*
MICHAEL J GRYGIEL
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By: */s/ Nina D. Boyajian*
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riveraal@gtlaw.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of October, 2020, a true and correct copy of the foregoing has been filed with the Clerk of the Court using the State of Florida e-filing system, which will send a notice of electronic service for all parties of record herein

/s/ Stephen A. Mendelsohn
STEPHEN A. MENDELSOHN

ACTIVE 53317341v1

EXHIBIT "C"

EXHIBIT "C"

INTHECIRCUITCOURTOFTHEFIFTEENTHJUDICIALCIRCUIT
INANDFORPA LMBEACHCOUNTY,FLORIDA

CAFLORIDAHOLDINGS,LLC,
PublisherofthePALMBEACHPOST,

Plaintiff,

v. CASENO.:19 -CA-014681

DAVEARONBERG,asState Attorneyof
PalmBeachCounty,Florida;SHARONR.
BOCK,asClerkandComptrollerofPalm
BeachCounty,Florida.

Defendants.
_____/

DEFENDANTDAVEARONBERG'SAMENDEDMOTIONFORATTORNEYS'FEES

Defendant, DAVE ARONBERG, as State Attorney of Palm Beach County, Florida, by and through the undersigned counsel, hereby moves this Honorable Court, pursuant to Rule 1.525, Fla. R. Civ. P. to enter an award of attorneys' fees in his favor against Plaintiff, CA FLORIDA HOLDINGS, LLC, publisher of the PALM BEACH POST, and in support thereof states the following:

BASISFORAWARDINGATTORNEYS'FEES

1. On November 14, 2019, CA FLORIDA HOLDINGS, LLC, publisher of the PALM BEACH POST ("Plaintiff") filed a complaint against DAVE ARONBERG, as State Attorney of Palm Beach County, Florida (the "State Attorney" or "Defendant Aronberg") and SHARON R. BOCK, as Clerk and Comptroller of Palm Beach County, Florida (the "Clerk"). The basis of the action was asking the Court to order the State Attorney and the Clerk to disclose the 2006 Jeffrey Epsteingrandjurymaterials,(the"RequestedMaterials"),pursuantto§905.27(1)Fla.Stat.

2. On December 6, 2019, the State Attorney filed his Motion to Dismiss, then on December 13, 2019, the Clerk also filed a Motion to Dismiss. In response, Plaintiff filed its First Amended Complaint on January 17, 2020, which in addition to its original claim under § 905.27 Fla. Stat. (Count II) added a claim for Declaratory Relief (Count I) that sought an order declaring that the State Attorney and the Clerk disclose the Requested Materials to Plaintiff for the purpose ofinformingthepublic.

3. On January 24, 2019, both the State Attorney and the Clerk filed their Answer to the First Amended Complaint and Motion to Dismiss Count II ("Answer/Motion to Dismiss). Notably, the State Attorney's Answer/Motion to Dismiss asserted its right to attorneys' fees for defendingtheactio nandrequestedsuchrelieffromtheCourt.

4. On June 8, 2020, the Court entered its Order Granting Defendants Motions to DismissCountIIofPlaintiff'sFirstAmendedComplaintwithPrejudice("Order").

5. Immediately following the Court's Order, on June 8, 2020, the State Attorney, through the undersigned counsel, served Plaintiff with a demand pursuant to § 57.105 Fla. Stat., to voluntary dismiss/withdraw the First Amended Complaint and the claims against the State Attorney, along with a Motion for Attorneys' Fees ("57.105 Demand"). ***See, Exhibit "A"***. Specifically, because of the Court's Order only Count I of Plaintiff's Amended Complaint remained,whichsoughtDeclaratoryReliefunder§86.011,Fla.Stat.

6. Here, in properly serving his 57.105 Demand on Plaintiff, the State Attorney also properly put Plaintiff on notice that he would seek sanctions by filing the 57.105 Motion for Attorneys' Fees if Plaintiff failed to dismiss the remainder of its First Amended Complaint within 21daysofserviceofthe57.105Demandand Motionfor Attorneys' Fees.

7. On June 23, 2020, Plaintiff's counsel sent a response to the 57.105 Demand refusingtowithdrawtheremainderofthe First AmendedComplaint. ***See,Exhibit"B"*** .

8. §57.105,FloridaStatutesstatesthefollowing:

> A motion by a party seeking sanctions under this section must be served but may not be filed with or presented to the court unless, within 21 days after service of the motion, the challenged paper, claim, defense, contention, allegation, or denial is not withdrawnorappropriatelycorrected.

9. Accordingly, after receiving Plaintiff's June 23, 2020, response refusing to withdraw the remainder of the First Amended Complaint and waiting the prerequisite "21 days after service of the motion" the State Attorney's Motion for Attorneys' Fees was filed with this CourtonJuly1,2020 . ***See,Exhibit" C"***.

10. Thereafter, on August 18, 2020, the State Attorney filed his Motion for Summary Judgment ("Motion") and proceeded, on October 21, 2020, to file a Motion to Set Hearing on the State Attorney's Motion ("Motion to Set") after it became clear that there would be no resolution ofthismatterwithouttheCourt'sintervention.

11. Nonetheless, later the same day, rather than setting and participating in a hearing on the merits as to State Attorney's Motion, Plaintiff filed its Notice of Dropping the State Attorney ("Notice") from the instant case. ***See, Exhibit "D"***. As a consequence of filing its Notice, Plaintiff has effectively made an admission that its allegations against the State Attorney have no basis in factorlaw.

12. "An essential distinction between a notice of dropping a party and a voluntary dismissal is that the former concludes the action as to the dropped party while the latter is generally utilized to conclude the action in its entirety." *Carter v. Lake County*, 840 So. 2d 1153, 1155 (Fla. 5thDCA2003) .

13. Specifically, Plaintiff's Notice states: "Plaintiff, [sic], pursuant to Fla. R. Civ. P. 1.250(b), hereby notifies the parties that it has dropped State Attorney, Dave Aronberg from the abovecase."

14. Rule1.250(b),Fla.R.Civ.P.states:

> (b) Dropping Parties. *Parties may be dropped by an adverse party in the manner provided for voluntary dismissal in rule 1.420(a)(1)* subject to the exception stated in that rule. If notice of lis pendens has been filed in the action against a party so dropped, the notice of dismissal shall be recorded and cancels the notice of lis pendens without the necessity of a court order. Parties may be dropped by order of court on its own initiative or the motion of any party at any stage of the action on suchtermsasarejust.

15. Rule1.420(a)(1),Fla.R.Civ.P.,Volunt aryDismissalstates:

> (1) By Parties. Except in actions in which property has been seized or is in the custody of the court, an action, a claim, or any part of an action or claim may be dismissed by plaintiff without order of court (A) before trial by serving, or during trial by stating on the record, a notice of dismissal at any time before a hearing on motion for summary judgment, or if none is served or if the motion is denied, before retirement of the jury in a case tried before a jury or before submission of a nonjury case to the court for decision, or (B) by filing a stipulation of dismissal signed by all current parties to the action. Unless otherwise stated in the notice or stipulation, the dismissal is without prejudice, except that *a notice of dismissal operates as an adjudication on the merits when served by a plaintiff who has once dismissed in anycourtanactionbasedonorincludingthesameclaim*.

16. Notably, "[R]ule 1.250(b) expressly incorporates the procedural aspects of Florida Rule of Civil Procedure 1.420(a)(1) governing voluntary dismissal by providing that parties may be dropped 'in the manner provided for voluntary dismissal in rule 1.420(a)(1) subject to the exceptionstatedinthatrule.'" *Sibonyv.Allen,* 52So.3d779,780(Fla.5thDCA2010).

17. Likewise, because Rule 1.250(b) specifies that a party is dropped "in the manner provided for voluntary dismissal in Rule 1.420(a)(1), the *Siboni* court concluded that "the manner" includes the same entitlement to costs and attorney's fees which would have been enjoyed had the dismissal occurredentirelyunderRule1.420(a)(1). *Id.at781.*

18. Accordingly, the *Siboni* court held that a "party dropped from litigation under rule 1.250(b) is subject to the time limitation contained in rule 1.525 governing service of a motion seeking a judgment for costs and attorney's fees." *Id.*

19. Although Plaintiff filed its Notice the claims asserted by Plaintiff have been, since the filing of its initial complaint, completely without support of the facts or the law. At their very core, all of Plaintiff's claims are based on the presumption that the State Attorney has the authority to disclose the Requested Materials. Nonetheless, Section 905.17(1), Florida Statutes makes clear that Plaintiff's Requested Materials can only be released by the Clerk pursuant to a court order.

> The stenographic records, notes, and transcriptions made by the court reporter or stenographer shall be filed with the clerk who shall keep them in a sealed container not subject to public inspection. *The notes, records, and transcriptions are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution and shall be released by the clerk only on request by a grand jury for use by the grand jury or on order of the court pursuant to s. 905.27.*

Section 905.17(1), Florida Statutes (2020).

20. The State Attorney has no objection to the Clerk producing and disclosing the Requested Materials should the Court grant an order to that effect, however, it is impossible for the State Attorney to comply with the relief sought by Plaintiff in its remaining claim for declaratory relief as he does not possess or control the Requested Materials and is statutorily barred from any disclosure.

21. Although the State Attorney was prepared to make his argument to the Court, Plaintiff decided instead to drop him as a party. Despite Plaintiff's decision, the Florida Rules of Civil Procedure and the above authorities make clear that because Rule 1.250 specifies that a party is dropped "in the manner provided for voluntary dismissal in Rule 1.420(a)(1)," it therefore *"operates as an adjudication on the merits." See, Siboni v. Allen, 52 So. 3d 779, 781 (Fla. 5th DCA 2010); Rule 1.420(a)(1) Fla.R.Civ.P.*

22. Consequently, the filing of Plaintiff's Notice triggered Rule 1.525, Fla. R. Civ. P. andthereforé:

> Under [§ 57.105], the legislature has expressed its unequivocal intent that where a party files a meritless claim, suit or appeal, the party who is wrongfully required to expendfundsforattorneys ' feesisentitledtorecoupthosefees .

Martin County Conservation Alliance v. Martin County, 73 So. 3d 856, 857 (Fla. 1st DCA 2011) (finding that "Courts are not at liberty to disregard the legislative mandate that courts shall impose *sanctions* in cases without foundation in material fact or law. The word "shall" in § 57.105, Fla. Stat., evidences the legislative intent to impose a mandatory penalty to discourage baseless claims, by placing a price tag on losing parties who engage in these activities. Section 57.105 expressly states courts "shall" assess attorney's fees for bringing, or failing to dismiss, baseless claims or defenses.").

23. In fact, "Section 57.105(1) clearly and explicitly confers upon the trial court the authority to award attorney's fees to the prevailing party upon the court's initiative, if 'the court finds that the losing party . . . knew or should have known that a claim or defense when initially presented to the court *or at any time before trial* . . . [w]as not supported by the material facts necessary to establish the claim or defense." *Koch v. Koch*, 47 So. 3d 320, 324 (Fla. 2d DCA 2010).

24. The simple fact of the matter is that Plaintiff failed to withdraw its Amended Complaint against the State Attorney within the 21-day period provided for in section 57.105(4), and therefore the State Attorney was permitted to file his 57.105 Motion for Attorneys' Fees as sanctions.

25. Furthermore, based on the impossible nature of Plaintiff's demand of the State Attorney, it was proper to demand withdrawal of Plaintiff's remaining claim for declaratory relief

and serve the 57.105 Motion for Attorneys' Fees due to Plaintiff's claim lacking any basis in fact or law. Again, neither the State Attorney nor his office has possession, custody or control of the Requested Materials. Likewise, the State Attorney has no objection, and never has had any objection, to the Clerk releasing the records sought by Plaintiff, as disclosure of the Requested Materials sought by Plaintiff lies solely within the providence of the Clerk pursuant to an order of theCourt.

26. Consequently, the State Attorney is entitled to recover all of his reasonable attorneys'feesindefendingthissuitbyvirtueof57.105,FloridaStatutes.

REASONABLENESSANDAMOUNTOFATTORNEYS'FEES

27. From the service of the 57.105 Demand to the date of this motion, the attorneys for the State Attorney have rendered 42.2 hours of legal services for a total amount of $18,275.00 in defending this action. See time sheets detailing: the amount of hours by each timekeeper, the timekeeper's hourly rate, and a description of the tasks done during those times, on attached ***Exhibit "E"***. Of that amount, the undersigned has been paid $0.00 as the engagement with the State Attorney is on a pure contingency fee basis. The undersigned expects to incur an additional 4.0 hours at $425.00 an hour in preparing for and attending the hearing on attorneys' fees. Thus, the total amount of hourly attorneys' fees the State Attorney is seeking is 46.2 hours for a total of $19,975.00. As further set forth below, the State Attorney also seeks a multiplier of 2.0, which whenappliedmakesthegrandtotalattorneys 'fees assanctions soughtherein$39,950.00.

28. An Affidavit of Attorneys' Fees is attached hereto as ***Exhibit "F"***, which details andbreaksdowntheattorneys'feessoughtherein.

29. The State Attorney would offer the following facts and arguments as they relate to the factors promulgated in Rule 4-1.5 of the Rules Regulating the Florida Bar and *Florida Patient's CompensationFundy.Rowe* ,472So.2d1145 (Fla.1985) :

Factor	FactsandArguments
(A)thetimeandlabor required,thenovelty, complexity,anddifficulty ofthequestionsinvolved, andtheskillrequisiteto performthelegalservice properly	The time involved by counsel was substantial, consuming nearly 75 hours of legal work. Moreover, the issues in controversy were novel and complex in that Plaintiff sought to create a new private statutory cause of action under Florida Statute § 905.27, implicated several 1st Amendment issues, and further sought declaratory relief pursuant to said Statute. Finally, this litigation has been ongoing for nearly a year and required skill and knowledge in these areasofthelaw.
(B)thelikelihoodthatthe acceptanceofthe particularemployment willprecludeother employmentbythelawyer	Because of the amount of time involved in this litigation and considering the relative small size of the firm representing the State Attorney, the undersigned attorneys were forced to turn away or delay representing other clients especially during critical stages of thelitigation,duetotimerequiredinthein stantmatter.
(C)thefee,orrateoffee, customarilychargedinthe localityforlegalservices ofacomparableorsimilar nature	The base fees consisting of $425.00/hour for Mr. Wyler's services and $475.00/hour for Mr. Jacobs' services are reasonable for lawyers in their respective communities possessing equal experienceandskill.
(D)thesignificanceof,or amountinvolvedin,the subjectmatterofthe representation,andthe resultsobtained	The outcome of this case is of great public significance to the State of Florida as it pertains to the disclosure of grand jury records and the role of the State Attorney concerning such disclosure. Here, the results obtained were the maximum sought by Defendant Aronberg as he was dismissed from the case, albeit not within the time constraints of the safe-harbor provision within § 57.105, Fla. Stat.
(E)thetimelimitations imposedbytheclientor bythecircumstancesand, asbetweenattorneyand client,anyadditionalor specialtimedemandsor requestsoftheattorneyby theclient	There were not any extraordinary limitations imposed by the client, however, Defendant Aronberg expected and received zealous representation, with the desire that the case be dispensed of quickly andefficiently.
(F) thenatureandlength oftheprofessional relationshipwiththeclient	As general counsel for the FPAA the undersigned counsel has represented Defendant Aronberg since the beginning of his tenure as State Attorney in civil matters throughout the State of Florida as wellasmattersbeforetheFloridaLegislature.

(G)theexperience, reputation,diligence,and abilityofthelawyeror lawyersperformingthe serviceandtheskill, expertise,orefficiencyof effortreflectedinthe actual providingofsuch services	This representation required experience in a field available to few lawyers, which included defending the State Attorney from claims of a media entity and lawyers from multiple states regarding the release of information with a nationwide interest. Accordingly, the undersigned counsel conducted the representation with skill and efficiency wherein Defendant Aronberg was dismissed from the actionpriortoanyhearingonthemeritsbeforethecourt.
(H)whetherthefeeis fixedor contingent,and,if fixedastotheamountor rate,thenwhetherthe client'sabilitytopay restedtoanysignificant degreeontheoutcomeof therepresentation.	The fee arrangement herein was entirely contingent, wherein obtaining a fee was conditioned upon prevailing and obtaining an orderawardingfees.

JUSTIFICATIONFORMULTIPLIER

30. Defendant Aronberg was able to proceed with this litigation only if counsel would receive a court order awarding contingency based attorneys' fees upon achievement of a successful outcome in this case. ***See, Exhibit "G"***. Given this and the fact that counsel risked a total of 74.8 hours of work for no pay, of which 39.4 hours is subject to the 57.105 Demand, Defendant Aronberg submits that multiplier of 2.0 would be appropriate in this case. Based upon the hours expended, the hourly rates and a 2.0 multiplier, Defendant Aronberg respectfully requests an award ofattorneys'feesassanctionsasstated herein.

31. With regard to the application of a multiplier, the court must analyze the three factorssetforthin *StandardGuarantyInsuranceCo.v.Quanstrom* ,555So.2d828(F la.1990):

> (1) whether the relevant market requires a contingency fee multiplier to obtain competent counsel; (2) whether the attorney was able to mitigate the risk of nonpayment in any way; and (3) whether any of the factors set forth in Rowe are applicable, especially the amount involved, the results obtained, and the type of fee arrangementbetweentheattorneyandhisclient.

See, CitizensProp.Ins.Corp.v.Pulloquinga ,183So.3d1134(Fla.3dDCA2015).

32. Here, as to the first factor there was no other counsel in the relevant market who would agree to represent Defendant Aronberg under the contingency fee agreement needed due to the financial situation of the Office of the State Attorney as a public entity funded entirely by the taxpayers of the State of Florida. Although "Risk Mitigation" within the Florida Department of Financial Services and the Office of the Attorney General indeed represent the State Attorney in some instances, this case was not picked up by either and Defendant Aronberg was left needing representation by other, private counsel. Although the undersigned counsel and his law firm are General Counsel for the Florida Prosecuting Attorneys' Association, Inc., ("FPAA") the instant matter did not fall within the scope of representation for the FPAA and required a separate engagement between Defendant Aronberg and the undersigned counsel. Accordingly, the undersigned counsel and his law firm agreed to represent Defendant Aronberg on a contingency fee basis and to try the case to final judgment considering that there was no other counsel willing torepresentDefendantAronbergonsuchterms.

33. With respect to the other factors to be considered in applying a multiplier as set forth in *Quanstrom*, here Defendant Aronberg was unable to mitigate against non-payment of fees because as a purely taxpayer funded entity, the Office of State Attorney had no other means by which to pay the undersigned counsel. Additionally, Defendant Aronberg meets each of the individual *Rowe* factors as set forth in the table located above on pages 8-9. Accordingly, based on the foregoing the application of a multiplier herein is proper. In this vein, the *Rowe* court set guidelinesforthesizeofamultiplier,asfollows:

> Based on our review of the decisions of other jurisdictions and commentaries on the subject, we conclude that in contingent fee cases, the lodestar figure calculated by the court is entitled to enhancement by an appropriate contingency risk multiplier in the range from 1.5 to 3. When the trial court determines that success was more likely than not at the outset, the multiplier should be 1.5; when the likelihood of success was approximately even at the outset, the multiplier should

be 2; and, when success was unlikely at the time the case was initiated, the multipliershouldbeintherangeof2.5to3.

FloridaPatient'sCompensationFundv.Rowe ,472So.2d1145 (Fla.1985).

34. Additionally, the *Quanstrom* court confirmed and modified the *Rowe* approach, as follows:

> However, we find that the multiplier in *Rowe* should be modified as follows: If the trial court determines that success was more likely than not at the outset, it may apply a multiplier of 1 to 1.5; if the trial court determines that the likelihood of success was approximately even at the outset, the trial judge may apply a multiplier of 1.5 to 2.0; and if the trial court determines that success was unlikely at the outset of the case, it may apply a multiplier of 2.0 to 2.5. Accordingly, our *Rowe* decision ismodifiedtoallowamultiplierfrom1to2.5.

Standard Guaranty Insurance Co. v. Quanstrom, 555 So. 2d 828, 834 (Fla. 1990). Thus, based upon all of the foregoing factors, Defendant Aronberg respectfully submits that a multiplier of 2.0 isappropriateforthisrepresentation.

CERTIFICATIONOFGOODFAITHEFFORTTORESOLVE

The undersigned certifies that a good faith effort was made to resolve the issues raised in this motion by agreement of the parties. The parties were unable to resolve by agreement the issuesofentitlementtofeesortheamountoffees.

WHEREFORE, Defendant, DAVE ARONBERG, as State Attorney of Palm Beach County, Florida, prays that this Honorable Court will enter an Order awarding Defendant Aronberg his reasonable attorneys' fees with a multiplier of 2.0 against the Plaintiff, CA FLORIDA HOLDINGS,LLC,publisherofthePALMBEACHPOST ,intheamountof$3 9,950.00.

CERTIFICATEOFSERVICE

I HEREBY CERTIFY that on this 9th day of November, 2020, a copy of the foregoing Defendant, Dave Aronberg's Amended Motion for Attorneys' Fees has been electronically filed withtheFloridaE -FilePortalfore -serviceonallpartiesofrecordherein.

JACOBSSCHOLZ&WYLER,LLC

/s/DouglasA.Wyler

ArthurJ.Jacobs,Esq.
Fla.BarNo.:10249
RichardJ.Scholz,Esq.
Fla.BarNo.:0021261
DouglasA.Wyler,Esq.
Fla.BarNo.:119979
961687GatewayBlvd.,Sui te201 -I
FernandinaBeach,Florida32034
(904)261 -3693
(904)261 -7879Fax
Primary:jacobsscholzlaw@comcast.net

AttorneysforDefendant,DaveAronberg

EXHIBIT "A"

EXHIBIT "A"

Subject: SERVICEOFC OURTDOCUMEN T; CASE NO. 2019-CA-014681; CA FLORIDA HOLDINGS, LLC V. DAVE ARONBERG ET AL.

Date: Monday, June 8, 2020 at 3:58:58 PM Eastern Daylight Time

From: DouglasW yler

To: 'mendelsohns@gtlaw.com', smithl@gtlaw.com, flservice@gtlaw.com, BoyajianN@gtlaw.com, riveraal@gtlaw.com, GRYGIELM@gtlaw.com

Attachments: 2020-06-08Ar onberg57.105DemandandMotionf orA ttorneys' Fees.pdf

Pleaseseea ttached and below in this matter.

Court:	CircuitCourtoftheFift eenthJudicialCir cuit,inandf orP almBeachCoun ty, Florida
CaseN o:	CaseN o.2020-CA -014681
Plaintiff:	CAFloridaHoldings, LL C
Defendant:	Dave Aronberg
TitleofDocumen ts Served:	• Fla.St at. § 57.105 Demand Letter • Defendant, Dave Aronberg's Motion for Attorneys' Fees
Sender's Name and Telephone Number:	DouglasW yler (904) 261-3693

Sincerely,

Doug Wyler, Esq.
Jacobs, Scholz & Wyler, LLC
961687 Gateway Blvd., STE 201-I
Fernandina Beach, FL 32034
904-261-3693
904-261-7879 (fax)
doug.wyler@comcast.net

JACOBS SCHOLZ & WYLER, LLC.

A LIMITED LIABILITY COMPANY OF PROFESSIONAL ASSOCIATIONS
ATTORNEYS AT LAW
GATEWAY TO AMELIA
961687 GATEWAY BLVD., SUITE 201-I
FERNANDINA BEACH, FLORIDA 32034

TELEPHONE (904) 261-3693
FAX NO. (904) 261-7879

THE LAW OFFICES OF
JACOBS & ASSOCIATES, P.A.
ARTHUR I. JACOBS

RICHARD J. SCHOLZ, P.A.
RICHARD J. SCHOLZ

DOUGLAS A. WYLER, P.A.
DOUGLAS A. WYLER

June 8, 2020

VIA ELECTRONIC & U.S. MAIL
Stephen A. Mendelsohn, Esq.
Greenburg Traurig, P.A.
5100 Town Center Circle, Suite 400
Boca Raton, FL 33486

RE: CA Florida Holdings, LLC v. Dave Aronberg et al.
Palm Beach County, Case No.: 2019-CA-014681

Dear Mr. Mendelsohn:

As you are aware our firm represents the interests of Dave Aronberg, as State Attorney of Palm Beach County, Florida, in the above referenced matter. The purpose of this letter is to demand the voluntary dismissal of your First Amended Complaint, (the "Complaint"), dated January 17, 2020. This demand is made pursuant to section 57.105, Florida Statutes.

As you know, Section 57.105 provides:

(1) Upon the court's initiative or motion of any party, the court shall award a reasonable attorney's fee, including prejudgment interest, to be paid to the prevailing party in equal amounts by the losing party and the losing party's attorney on any claim or defense at any time during a civil proceeding or action in which the court finds that the losing party or the losing party's attorney knew or should have known that a claim or defense when initially presented to the court or at any time before trial:

a. Was not supported by the material facts necessary to establish the claim or defense; or
b. Would not be supported by the application of then-existing law to those material facts.

Today, Judge Marx granted, with prejudice, Defendant Aronberg's Motion to Dismiss Count II of the Plaintiff's Complaint. Pursuant to the Court's ruling, the Plaintiff's only remaining cause of action consists of Count I, for Declaratory Relief. Accordingly, we believe that the Complaint filed herein and its sole remaining Count for Declaratory Relief is not supported by the material facts necessary to establish the claims asserted, and that your claims are not supported by the application of current law to said material facts.

First and foremost, the Complaint is not supported by the material facts necessary to establish the claims asserted because neither Defendant Aronberg, nor The Office of the State Attorney for the Fifteenth Judicial Circuit is in custody or control of the 2006 grand jury materials sought therein. Simply put, the declaratory relief sought by the Plaintiff, seeks records from my client that are impossible for him or his office to produce. Accordingly, Defendant Aronberg is not a proper party to this action because no matter what, he and his office do not have possession, custody, or control of the requested materials.

In addition to the foregoing material facts that negate the claims asserted in the Complaint, your claims are also not supported by the application of current law. Specifically, your action for declaratory relief fails based on the clear, unambiguous statutory language found in Section 905.27(2), Florida Statutes, which states:

> When such disclosure is ordered by a court pursuant to subsection (1) for use in a civil case, it may be disclosed to all parties to the case and to their attorneys and by the latter to their legal associates and employees. However, *the grand jury testimony* afforded such persons by the court *can only be used in the defense or prosecution of the civil or criminal case and for no other purpose whatsoever*.

Moreover, even if the Plaintiff were to prevail in the declaratory action, Mr. Aronberg would be unable to comply with any court order granting disclosure of the requested documents because neither Mr. Aronberg nor The Office of the State Attorney for the Fifteenth Judicial Circuit have possession, custody, or control of the 2006 Epstein grand jury records.

Based on the foregoing, if the Complaint is not dismissed within 21 days of the service of this letter, the enclosed Motion for Attorney's Fees will be filed and we will seek as sanctions, from your client and your firm, recovery of the legal expenses incurred in defending this frivolous action.

Please govern yourself accordingly,

Douglas A. Wyler, Esq.
For the Firm

Encl.: Defendant's Motion for Attorneys' Fees

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

CA FLORIDA HOLDINGS, LLC,
Publisher of the PALM BEACH POST,

Plaintiff,

v. CASE NO.: 19-CA-014681

DAVE ARONBERG, as State Attorney of Palm Beach County, Florida; SHARON R. BOCK, as Clerk and Comptroller of Palm Beach County, Florida.

Defendants.
_____/

DEFENDANT, DAVE ARONBERG'S MOTION FOR ATTORNEYS' FEES

Defendant, DAVE ARONBERG, as State Attorney of Palm Beach County, Florida, by and through the undersigned attorneys, moves the Court, pursuant to Florida Statutes, Section 57.105, to award him reasonable attorneys' fees for the defense of Plaintiff's First Amended Complaint, (the "Complaint"), and as grounds therefor, would show that on June 8, 2020, Plaintiff was served a copy of this Motion, together with a letter from the undersigned attorney, in accordance with subsection (4) of the above Statute, demanding dismissal of the Complaint, at least 21 days prior to the filing of this Motion. In said letter, Defendant's attorney advised Plaintiff of the facts which establish that the Complaint is without support of the facts or the law.

WHEREFORE, Defendant, DAVE ARONBERG, as State Attorney of Palm Beach County, Florida, respectfully requests the Court enter an Order requiring Plaintiff and Plaintiff's attorneys to pay said Defendant's attorneys' fees incurred herein after service of this Motion.

CERTIFICATE OF SERVICE

I hereby certify that on this ____ day _____, 2020, the foregoing was electronically filed via the Florida E-File Portal for electronic service on the parties of record herein.

JACOBS SCHOLZ & WYLER, LLC

/s/ Douglas A. Wyler

Arthur I. Jacobs, Esquire
Fla. Bar No.: 108249
Richard J. Scholz, Esquire
Fla. Bar No.: 0021261
Douglas A. Wyler, Esquire
Fla. Bar No.: 119979
961687 Gateway Blvd., Suite 201-I
Fernandina Beach, Florida 32034
(904) 261-3693
(904) 261-7879
jacobsscholzlaw@comcast.net

Attorneys for Defendant

EXHIBIT "B"

EXHIBIT "B"

GT GreenbergTraurig

Stephen A. Mendelsohn
Tel 561.955.7629
Fax 561.659.9119
mendelsohns@gtlaw.com

June 23, 2020

Douglas A. Wyler
Jacob Scholz & Wyler, LLC
961687 Gateway Blvd.
Suite 201-I
Fernandina Beach, Fl. 32034

Re: *CA Florida Holdings, LLC v. Dave Aronberg et al.*
Case No. 2019-CA-014681

Dear Mr. Wyler:

We are in receipt of your letter of June 8, 2020 with your proposed Fla. Stat. section 57.105 motion. In your letter and your proposed motion, you assert that CA Florida Holdings, LLC and the law firm of Greenberg Traurig, P.A. should be liable for the attorneys' fees to be incurred by State Attorney Aronberg after the date of your letter. Your letter cites to Fla. Stat. sections 57.105(1)(a) and (b) for support. As shown below, there is no basis for a Fla. Stat. section 57.105 motion, and we expect that if the State Attorney were to make such a motion, the court should deny it.

Your letter omits a citation to section 57.105(3). Subsection 57.105(3)(a) provides that sanctions may not be awarded where there is a "good faith argument for the extension, modification or reversal of existing law or the establishment of new law, as it is applied to the material facts, with a reasonable expectation of success." We have such a good faith argument.

Contrary to your analysis of Fla. Stat. section 905.27, there are actually three instances where a court may order the release of grand jury materials. As we argue, the court may order release "in furtherance of justice." There are few cases in Florida reviewing this provision and its scope. It is an open and valid question as to whether the court may order release of grand jury transcripts to the media, under both the statute and the First Amendment to the US Constitution in furtherance of justice. The statutory language you cite refers to instances where a person is seeking grand jury materials for use in a civil or in a criminal case. In these limited situations, the statute allows for such uses and for no other reason. However, the statute does not state, as you assert, that where the media seeks grand jury materials based upon its constitutional standing, which the Circuit Court acknowledged at the June 2, 2020 hearing includes The Palm Beach Post, that the statutory

use limitation you cite applies. No reported Florida case has addressed this issue and there is a good faith basis for our view of Fla. Stat. section 905.27

Your letter also argues that sanctions are applicable because the State Attorney has alleged that it does not possess the Jeffrey Epstein grand jury transcripts. This allegation is also contained in the State Attorney's Answer. Assuming that the State Attorney does not currently have physical possession of the Epstein grand jury materials, which has yet to be demonstrated, this does not end the matter. The State Attorney was named as a party not simply as a custodian of grand jury records. The State Attorney was named in his official capacity as his office has "as its *primary* interest the protection of its grand jury system." [Italics in original.] In re Grand Jury Proceedings, 832 F. 3d 554, 559 (11th Circuit 1987). In that case, the US petitioned a state judge to order the State Attorney to turn over grand jury transcripts. The State Attorney argued against their release citing to Fla. Stat. section 905.27. Later, a federal grand jury subpoenaed the Broward County State Attorney for delivery of state grand jury testimony. The Broward State Attorney advised the federal court that it would produce the transcripts, thereby demonstrating that while it may not have physical possession of the materials, he had legal authority to obtain and deliver them. It should also be noted that the State Attorney moved to quash the subpoena arguing that it was unlawful under Florida law and Fla. Stat. section 905.27. This case indicates that where one seeks grand jury materials, the relevant State Attorney is a necessary party in order to protect the grand jury that the Office of State Attorney supervised and to make arguments, if need be, against release of the grand jury materials. These are some of the same reasons why the State Attorney was named in this case.

Also, assuming the State Attorney does not have physical possession of the grand jury materials, there is nothing in Florida law that prohibits the State Attorney from requesting that the Clerk provide copies to the State Attorney. Chapter 905, Fla. Stats. does not contain a prohibition against a State Attorney demand that the Clerk grant his office access to grand jury materials, even after a criminal case has concluded. Upon information and belief, the Clerk's office maintains a log that tracks release of grand jury materials to the State Attorney upon its request. Please confirm whether the State Attorney has accessed grand jury materials from the Clerk's office in other instances or that it has never done so. If the Clerk has such a log, then its contents should be discoverable, or subject to Florida Public records laws.

For these reasons, we decline your Fla. Stat. section 57.105 demand that the case be dismissed against the Office of the State Attorney. We expect that your demand will be withdrawn.

Thank you,

Very truly yours,

/s/Stephen Mendelsohn

Stephen Mendelsohn

SAM:ls

ACTIVE 51081659v1

EXHIBIT "C"

EXHIBIT "C"

INTHECIRCUITCOURTOFTHEFIFTEENTHJUDICIALCIRCUIT
INANDFORPA LMBEACHCOUNTY,FLORIDA

CAFLORIDAHOLDINGS,LLC,
PublisherofthePALMBEACHPOST,

Plaintiff,

v. CASE NO.: 19-CA-014681

DAVEARONBERG,asStateAttorneyof
PalmBeachCounty,Florida;SHARONR.
BOCK,asClerkandComptrollerofPalm
BeachCounty,Florida.

Defendants.
_____/

DEFENDANT,DAVEARONBERG'SMOTIONFORATTORNEYS'FEES

Defendant, DAVE ARONBERG, as State Attorney of Palm Beach County, Florida, by and through the undersigned attorneys, moves the Court, pursuant to Florida Statutes, Section 57.105, to award him reasonable attorneys' fees for the defense of Plaintiff's First Amended Complaint, (the "Complaint"), and as grounds therefor, would show that on June 8, 2020, Plaintiff was served a copy of this Motion, together with a letter from the undersigned attorney, in accordance with subsection (4) of the above Statute, demanding dismissal of the Complaint, at least 21 days prior to the filing of this Motion. In said letter, Defendant's attorney advised Plaintiff of the facts which establishthattheComplaintiswithoutsupportofthefactsorthelaw.

WHEREFORE, Defendant, DAVE ARONBERG, as State Attorney of Palm Beach County, Florida, respectfully requests the Court enter an Order requiring Plaintiff and Plaintiff's attorneystopaysaidDefendant'sattorneys'feesincurredhereinafterserviceofthisMotion.

CERTIFICATEOFSERVICE

I hereby certify that on this 1st day July, 2020, the foregoing was electronically filed via theFloridaE-FilePortalforelectronicserviceonthepartiesofrecordherein.

JACOBSSCHOLZ&WYLER,LLC

/s/ DouglasA.Wyler

Arthur I. Jacobs, Esquire
Fla. Bar No.: 108249
Richard J. Scholz, Esquire
Fla. Bar No.: 0021261
Douglas A. Wyler, Esquire
Fla. Bar No.: 119979
961687 Gateway Blvd., Suite 201-I
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(904) 261-3693
(904) 261-7879
jacobsscholzlaw@comcast.net

AttorneysforDefendant,DaveAronberg

EXHIBIT "D"

EXHIBIT "D"

IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT IN AND
FOR PALM BEACH COUNTY, FLORIDA

CA FLORIDA HOLDINGS, LLC,
Publisher of *THE PALM BEACH POST*,

Plaintiff,

v.

DAVE ARONBERG, as State Attorney of Palm Beach County, Florida; SHARON R. BOCK, as Clerk and Comptroller of Palm Beach County, Florida,

Defendants.

CASE NO.: 50-2019-CA-014681-XXXX-MB

DIVISION: AG

PLAINTIFF CA HOLDINGS, LLC'S
NOTICE OF DROPPING STATE ATTORNEY, DAVE ARONBERG

Plaintiff, CA HOLDINGS, LLC, pursuant to Fla. R. Civ. P. 1250(b), hereby notifies the parties that it has dropped State Attorney, Dave Aronberg from the above case.

Respectfully submitted,

GREENBERG TRAURIG, P.A.
Attorneys for CA Florida Holdings, LLC, Publisher of The Palm Beach Post

Stephen A. Mendelsohn, Esq.
401 East Las Olas Boulevard Suite 2000
Boca Raton, Florida 33486
Telephone: (561) 955-7629
Facsimile: (561) 338-7099

By: */s/ Stephen A. Mendelsohn*
STEPHEN A. MENDELSOHN
Florida Bar No. 849324
mendelsohns@gtlaw.com
smithl@gtlaw.com
FLService@gtlaw.com

By: /s/ *Michael J Grygiel*
MICHAEL J GRYGIEL
(Admitted *Pro Hac Vice*)
54 State St., 6th Floor
Albany, New York 12207
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Facsimile: (518) 689-1499
grygielm@gtlaw.com

By: /s/ *Nina D. Boyajian*
NINA D. BOYAJIAN
(Admitted *Pro Hac Vice*)
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Los Angeles California 90067
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Facsimile: (310) 586-7800
boyajiann@gtlaw.com
riveraal@gtlaw.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of October, 2020, a true and correct copy of the foregoing has been filed with the Clerk of the Court using the State of Florida e-filing system, which will send a notice of electronic service for all parties of record herein

/s/ *Stephen A. Mendelsohn*
STEPHEN A. MENDELSOHN

ACTIVE 53317341v1

EXHIBIT "E"

EXHIBIT "E"

Jacobs Scholz & Wyler, LLC
961687 Gateway Blvd., Suite 201I
Fernandina Beach, FL 32034
United States
904-261-3693

Jacobs Scholz & Wyler, LLC

Dave Aronberg

Balance	$32,440.00
Invoice #	00307
Invoice Date	November 6, 2020
Payment Terms	
Due Date	

Aronberg (SAO15) adv. CA Florida Holdings, LLC

Time Entries

Date	EE	Activity	Description	Rate	Hours	Line Total
11/26/2019	DW	Review	Initial review of summons and complaint.	$425.00	1.5	$637.50
11/26/2019	DW	Review	Reviewed motion for pro hac vice and Judge Hafele' order granting	$425.00	0.2	$85.00
11/26/2019	DW	Teleconference	Teleconference w/ Client, re: response to lawsuit	$425.00	0.5	$212.50
11/26/2019	DW	Draft	Drafted engagement letter and sent to client	$425.00	0.3	$127.50
11/26/2019	DW	Review	Reviewed 15th circuit local rules	$425.00	1.0	$425.00
11/26/2019	AIJ	Review	Initial review of complaint	$475.00	1.0	$475.00
11/26/2019	AIJ	Meeting	Meeting w/ DAW to discuss lawsuit and strategy	$475.00	0.5	$237.50
11/26/2019	DW	Meeting	Meeting w/ AIJ to discuss lawsuit and strategy	$425.00	0.5	$212.50
11/26/2019	AIJ	Teleconference	Teleconference w/ Client, re: response to lawsuit	$475.00	0.5	$237.50
12/02/2019	DW	Research & Preparation	Research and prep for Motion to dismiss	$425.00	2.0	$850.00
12/02/2019	DW	Draft	1st Draft motion to dismiss	$425.00	1.0	$425.00
12/02/2019	DW	Teleconference	Teleconference w/ Client, re: draft motion to dismiss	$425.00	0.5	$212.50
12/02/2019	AIJ	Review	Reviewed 1st Draft MTDismiss	$475.00	0.3	$142.50
12/02/2019	AIJ	Teleconference	Teleconference w/ client, re: draft motion to dismiss	$475.00	0.5	$237.50
12/03/2019	AIJ	Meeting	Meeting w/ DAW, re: motion to dismiss	$475.00	0.2	$95.00
12/03/2019	DW	Meeting	Meeting w/ AIJ, re: MTDismiss	$425.00	0.2	$85.00
12/06/2019	DW	Draft	Completed final draft of motion to dismiss; filed with Court	$425.00	0.7	$297.50
12/06/2019	DW	Teleconference	Spoke w/ client, re: final draft of motion to dismiss	$425.00	0.5	$212.50

12/06/2019	DW	Teleconference	Spoke with Clerk's attorney, re: response	$425.00	0.5	$212.50
12/06/2019	AIJ	Review	Reviewed final draft MTDismiss	$475.00	0.2	$95.00
12/06/2019	AIJ	Review	Reviewed Clerk's MTDismiss	$475.00	0.2	$95.00
12/13/2019	DW	Review	Reviewed Clerk's Motion to Dismiss	$425.00	0.5	$212.50
01/16/2020	DW	Review	Reviewed Order Setting Hearing on Defendants' MTDismiss	$425.00	0.1	$42.50
01/16/2020	DW	Review	Reviewed motion for pro hac vice	$425.00	0.1	$42.50
01/17/2020	DW	Review	Reviewed Pl's Amended Complaint	$425.00	1.0	$425.00
01/17/2020	DW	Teleconference	Spoke with client, re: Amended Complaint	$425.00	0.5	$212.50
01/17/2020	DW	Review	Reviewed Pl's notice of filing	$425.00	0.1	$42.50
01/20/2020	AIJ	Review	Reviewed Pl's Am. Compl	$475.00	0.3	$142.50
01/21/2020	DW	Review	Reviewed Judge Marx's Order Cancelling MTDismiss Hearing	$425.00	0.1	$42.50
01/21/2020	DW	Review	Reviewed Pl's Objection to Defendants' MTDismiss	$425.00	0.2	$85.00
01/21/2020	DW	Teleconference	Spoke with client, re: Amended complaint	$425.00	0.5	$212.50
01/21/2020	AIJ	Meeting	Meeting w/ DAW, re: response to Am. Compl.	$475.00	0.2	$95.00
01/21/2020	DW	Meeting	Meeting w/ AIJ, re: response to Am. Compl.	$425.00	0.2	$85.00
01/22/2020	DW	Review	Reviewed Order granting pro hac vice admission	$425.00	0.1	$42.50
01/22/2020	DW	Research & Draft	Researched and drafted response to Amended Complaint	$425.00	1.0	$425.00
01/23/2020	DW	Teleconference	Spoke with Clerk's attorney, re: response to amended complaint	$425.00	0.2	$85.00
01/24/2020	DW	Various	Completed Answer/MTDismiss Amended Complaint; filed with Court; sent copy to Client.	$425.00	1.0	$425.00
01/24/2020	DW	Draft	Drafted and filed Notice of Unavailability	$425.00	0.4	$170.00
01/24/2020	AIJ	Review	Reviewed final Answer/MTDismiss	$475.00	0.2	$95.00
01/27/2020	DW	Review	Reviewed Clerk's Answer/MTDismiss	$425.00	0.3	$127.50
02/03/2020	DW	Review	Reviewed Order setting hearing on Defs' MTDismiss	$425.00	0.1	$42.50
02/03/2020	DW	Teleconference	Spoke w/ client, re: order setting MTDismiss hearing for March 24, 2020	$425.00	0.5	$212.50
03/13/2020	DW	Review	Reviewed Pl's Opposition to Aronberg MTDismiss & Clerk's MTDismiss	$425.00	1.5	$637.50
03/13/2020	AIJ	Review	Reviewed Pl's Opposition to Aronberg MTDismiss & Clerk's MTDismiss	$475.00	0.7	$332.50
03/18/2020	DW	Teleconference	Reviewed email from Pl's counsel, re: motion to continue hearing	$425.00	0.1	$42.50
03/18/2020	DW	Review	Reviewed Pl's unopposed motion for continuance	$425.00	0.1	$42.50
03/18/2020	DW	E-mail	Emails w/ Clerk's counsel, re: Pl's request to continue hearing	$425.00	0.2	$85.00
03/19/2020	DW	E-mail	Reviewed email from Pl, re: agreed order & responded	$425.00	0.1	$42.50
03/20/2020	DW	Review	Reviewed Court's agreed order continuing hearing	$425.00	0.1	$42.50

04/21/2020	DW	Review	Reviewed order rescheduling hearing on Defs' MTDismiss	$425.00	0.1	$42.50
04/21/2020	DW	Teleconference	Spoke w/ client; re: order rescheduling MTDismiss hearing for June 3, 2020	$425.00	0.3	$127.50
04/21/2020	AIJ	Review	Reviewed Order rescheduling MTDismiss hearing	$475.00	0.1	$47.50
05/22/2020	DW	Review	Reviewed order setting Zoom hearing, re: MTDismiss	$425.00	0.1	$42.50
05/22/2020	DW	Teleconference	Spoke w/ client, re: hearing will be via Zoom	$425.00	0.2	$85.00
05/27/2020	DW	Review	Reviewed Clerk's filing: change of atty of record	$425.00	0.1	$42.50
05/27/2020	DW	Teleconference	Spoke with Clerk's new counsel, Nicole Fingerhut	$425.00	0.2	$85.00
05/28/2020	DW	E-mail	Reviewed Pl's email, re: cases and authorities for MTDismiss hearing; responded	$425.00	0.1	$42.50
05/29/2020	DW	Preparation	Began oral argument prep for 6/8 MTDismiss hearing	$425.00	1.0	$425.00
06/01/2020	DW	E-mail	Reviewed email from Judge Marx's JA and responded	$425.00	0.1	$42.50
06/02/2020	DW	Various	Reviewed Pl's 500+ page binder, re: MTDismiss & prepped for hearing	$425.00	3.0	$1,275.00
06/02/2020	DW	E-mail	Drafted and sent email to client, re: MTD hearing tomorrow	$425.00	0.1	$42.50
06/03/2020	DW	Attend Hearing	Prepped for and attended MTDismiss hearing via Zoom	$425.00	1.5	$637.50
06/03/2020	DW	Teleconference	Spoke w/ Client, re: debrief MTDismiss hearing	$425.00	0.5	$212.50
06/03/2020	DW	E-mail	Emailed courtesy copies of Aronberg's Answer and MTDismiss to Judge Marx	$425.00	0.1	$42.50
06/03/2020	DW	E-mail	Reviewed response from Client and replied	$425.00	0.1	$42.50
06/03/2020	AIJ	Attend Hearing	Attended MTDismiss hearing via Zoom	$475.00	1.0	$475.00
06/03/2020	AIJ	Review	Reviewed order granting MTDismiss w/ prejudice	$475.00	0.3	$142.50
06/08/2020	DW	Review	Reviewed Court's Order Granting Defendants MTDismiss Count II w/ Prejudice	$425.00	0.5	$212.50
06/08/2020	DW	Various	Shared order w/ Client and spoke w/, re: result and plan going forward, re: 57.105	$425.00	0.5	$212.50
06/08/2020	DW	Various	Researched § 57.105 Fla. Stat.; drafted 57.105 demand letter and proposed motion for attorneys' fees/sanctions; Served Pl's counsel with demand letter and proposed motion.	$425.00	2.0	$850.00
06/08/2020	AIJ	Meeting	Meeting w/ DAW, re: Order & 57.105	$475.00	0.3	$142.50
06/08/2020	DW	Meeting	Meeting w/ AIJ, re: Order & 57.105	$425.00	0.3	$127.50
06/08/2020	AIJ	Review	Reviewed 57.105 demand and proposed motion for sanction	$475.00	0.2	$95.00
06/10/2020	DW	Various	Reviewed notice of change of attorney, re: Clerk; called and spoke w/ new counsel Cynthia Guerra	$425.00	0.3	$127.50
06/23/2020	DW	Various	Reviewed Pl's letter refusing to voluntarily dismiss amended complaint despite 57.105 demand; called and spoke w/ client, re: Pl's refusal & next steps	$425.00	1.0	$425.00

06/23/2020	DW	E-mail	Sent client copy of Pl's letter refusing to dismiss complaint	$425.00	0.1	$42.50
06/23/2020	AIJ	Review	Reviewed Pl's letter refusing to dismiss Count I/Am. Compl.	$475.00	0.1	$47.50
07/01/2020	DW	Various	Spoke w/ client, re: filing of 57.105 motion for fees/sanctions; filed motion for attorneys' fees based on Pl's failure to voluntarily dismiss amended complaint count 1	$425.00	0.5	$212.50
07/02/2020	DW	E-mail	Email to client, re: affidavit and summary judgment	$425.00	0.1	$42.50
07/08/2020	DW	Teleconference	Discussed w/ Client drafting and filing Motion for Summary Judgment and MSJ evidence	$425.00	0.7	$297.50
07/08/2020	AIJ	Teleconference	Discussed w/ Client drafting and filing Motion for Summary Judgment and MSJ evidence	$475.00	0.7	$332.50
07/10/2020	DW	Draft	Created 1st draft of Aronberg Affidavit; shared w/ client	$425.00	1.0	$425.00
07/10/2020	AIJ	Various	Reviewed draft affidavit and discussed w/ DAW	$475.00	0.3	$142.50
07/10/2020	DW	Meeting	Discussed draft affidavit w/ AIJ	$425.00	0.2	$85.00
07/13/2020	DW	Review	Reviewed Pl's Request to Produce, re: Clerk	$425.00	0.1	$42.50
07/13/2020	DW	Teleconference	Spoke w/ Clerk's counsel, re: Request to Produce	$425.00	0.2	$85.00
07/27/2020	DW	Review	Reviewed Pl's Amended Request to Produce, re: Clerk	$425.00	0.1	$42.50
07/27/2020	DW	Teleconference	Spoke w/ Clerk's counsel, re: Amended Request to Produce	$425.00	0.1	$42.50
07/28/2020	DW	Draft	Revised Aronberg affidavit	$425.00	0.5	$212.50
07/29/2020	DW	Draft	Finalized Aronberg Affidavit and sent to client	$425.00	0.5	$212.50
07/29/2020	DW	Research & Preparation	Research and prep for Motion for Summary Judgment	$425.00	1.0	$425.00
07/30/2020	DW	Various	Received executed Aronberg Affidavit	$425.00	0.1	$42.50
07/30/2020	DW	Draft	Began drafting Motion for Summary Judgment	$425.00	2.0	$850.00
08/05/2020	DW	Draft	Continued drafting Motion for Summary Judgment	$425.00	1.0	$425.00
08/07/2020	DW	Review	Reviewed email from Plaintiff attempting to set hearing on 57.105 motion for fees/sanctions	$425.00	0.1	$42.50
08/10/2020	DW	E-mail	Sent responsive email to Pl's counsel	$425.00	0.1	$42.50
08/17/2020	DW	Meeting	Discussed draft MSJ w/ AIJ	$425.00	0.2	$85.00
08/17/2020	AIJ	Various	Reviewed draft MSJ and met w/ DAW to discuss	$475.00	0.5	$237.50
08/18/2020	DW	Draft	Finalized Motion for Summary Judgment; filed w/ court along with Aronberg affidavit	$425.00	2.0	$850.00
08/27/2020	DW	Teleconference	Spoke w/ Clerk's counsel, re: request to produce	$425.00	0.1	$42.50
09/01/2020	DW	Various	Reviewed Pl's email and accepted conference call invite for 9/2/20	$425.00	0.1	$42.50
09/02/2020	DW	Review	Reviewed Clerk's response to request for production	$425.00	0.2	$85.00
09/02/2020	DW	Teleconference	Spoke w/ Pl's counsel, re: dispute as to whether MSJ should be heard before 57.105 fee motion or vis versa - call was unsuccessful	$425.00	0.5	$212.50

09/02/2020	AIJ	Meeting	Discussed w/ DAW phone call w/ Pl's counsel	$475.00	0.2	$95.00
09/02/2020	DW	Meeting	Discussed w/ AIJ phone call w/ Pl's counsel	$425.00	0.2	$85.00
09/16/2020	DW	E-mail	Reviewed email from Pl's counsel requested Aronberg to withdraw sanctions motion w/o prejudice	$425.00	0.1	$42.50
09/17/2020	DW	Meeting	Discussed w/ AIJ filing motion for CMC	$425.00	0.1	$42.50
09/17/2020	AIJ	Meeting	Discussed w/ DAW filing motion for CMC	$475.00	0.1	$47.50
09/18/2020	DW	Various	Drafted and filed motion to set case management conference; re: MSJ 1st or Fee hearing 1st	$425.00	0.5	$212.50
09/18/2020	DW	E-mail	Responded to Pl's 9/16/20 email and refused to withdraw 57.105 motion; provided copy of motion to set CMC and available dates for hearing	$425.00	0.1	$42.50
09/18/2020	DW	E-mail	Reviewed Pl's email insisting that 57.105 motion be withdrawn	$425.00	0.1	$42.50
09/18/2020	DW	E-mail	Replied to Pl's counsel that the 57.105 motion for sanctions will not be withdrawn and asking for response, re: CMC	$425.00	0.1	$42.50
09/18/2020	DW	E-mail	Sent client copy of email exchange w/ Pl's counsel; called and spoke w/ Client	$425.00	0.5	$212.50
09/22/2020	DW	Various	Drafted and filed Notice of Hearing on 10/15/20; set up Court Call; spoke w/ client, re: hearing date	$425.00	0.7	$297.50
10/02/2020	DW	Review	Reviewed Pl's Memo of Law opposing Aronberg's 57.105 motion for fees/sanctions	$425.00	0.7	$297.50
10/02/2020	DW	Review	Reviewed Pl's Response to Aronberg's request to schedule 57.105 motion for fees after MSJ	$425.00	0.5	$212.50
10/02/2020	AIJ	Review	Reviewed Pl's Memo of Law opposing 57.105 motion	$475.00	0.5	$237.50
10/02/2020	AIJ	Review	Reviewed Pl's Response to Aronberg's request to schedule 57.105 motion after MSJ	$475.00	0.4	$190.00
10/12/2020	DW	Research	Research caselaw & statutes, re: response to Pl's Memo of Law	$425.00	1.0	$425.00
10/13/2020	DW	Research & Analyze	Continued researching caselaw, re: response to Pl's memo of law	$425.00	1.0	$425.00
10/13/2020	DW	Draft	Created 1st draft of Response to Pl's Memo of Law and shared w/ Client	$425.00	4.0	$1,700.00
10/13/2020	DW	Meeting	Discussed w/ AIJ caselaw and draft response to memo	$425.00	0.5	$212.50
10/13/2020	AIJ	Various	Reviewed draft MSJ, discussed draft w/ DAW and caselaw	$475.00	0.7	$332.50
10/14/2020	DW	Draft	Finalized and filed Response to Pl's Memo of Law	$425.00	1.0	$425.00
10/14/2020	DW	Telephone	Spoke w/ client, re: memo of law	$425.00	0.2	$85.00
10/14/2020	DW	Telephone	Spoke w/ client again, re: response to memo of law	$425.00	0.1	$42.50
10/15/2020	DW	Attend Hearing	Attended hearing, re: Motion to Set CMC; called client to discuss	$425.00	1.5	$637.50
10/15/2020	DW	Various	Reviewed email and letter from Pl, re: settlement. Sent copy to Client and called to discuss.	$425.00	0.5	$212.50

10/15/2020	DW	Telephone	Spoke w/ PI's counsel, re: settlement	$425.00	0.1	$42.50
10/15/2020	DW	Telephone	Spoke w/ client, re: PI's settlement proposal	$425.00	0.2	$85.00
10/15/2020	AIJ	Various	Attended hearing, re: motion to set CMC; discussed w/ client.	$475.00	1.0	$475.00
10/15/2020	AIJ	Various	Discussed PI's settlement proposal w/ DAW and then w/ Client.	$475.00	0.4	$190.00
10/15/2020	DW	Meeting	Discussed PI's settlement proposal w/ AIJ	$425.00	0.2	$85.00
10/16/2020	DW	Various	Drafted and shared proposed order w/ PI's counsel	$425.00	0.5	$212.50
10/16/2020	DW	Telephone	Spoke w/ PI's counsel, re: settlement	$425.00	0.2	$85.00
10/16/2020	DW	Telephone	Spoke w/ client, re: PI's settlement proposal	$425.00	0.5	$212.50
10/16/2020	DW	Meeting	Discussed PI's settlement proposal w/ AIJ	$425.00	0.2	$85.00
10/16/2020	AIJ	Meeting	Discussed PI's settlement proposal w/ DAW	$475.00	0.2	$95.00
10/19/2020	DW	Various	Uploaded proposed order, re: CMC for Judge Hafele	$425.00	0.1	$42.50
10/19/2020	DW	Telephone	Spoke w/ client, re: PI's settlement proposal	$425.00	0.2	$85.00
10/19/2020	DW	Telephone	Spoke w/ PI's counsel, re: settlement	$425.00	0.1	$42.50
10/19/2020	AIJ	Meeting	Discussed PI's settlement proposal w/ DAW	$475.00	0.2	$95.00
10/19/2020	DW	Meeting	Discussed PI's settlement proposal w/ AIJ	$425.00	0.2	$85.00
10/20/2020	DW	Various	Reviewed email from PI, re: settlement; sent copy to Client and called to discuss	$425.00	0.5	$212.50
10/20/2020	DW	Telephone	Spoke w/ client, re: settlement	$425.00	0.4	$170.00
10/20/2020	DW	Telephone	Spoke w/ PI's counsel, re: settlement	$425.00	0.1	$42.50
10/20/2020	DW	Telephone	Spoke w/ client, re: settlement	$425.00	0.1	$42.50
10/20/2020	DW	Meeting	Discussed PI's settlement proposal w/ AIJ	$425.00	0.2	$85.00
10/20/2020	AIJ	Meeting	Discussed PI's settlement proposal w/ DAW	$475.00	0.2	$95.00
10/21/2020	DW	Various	Drafted and filed Motion to Set Hearing on Aronberg MSJ; drafted proposed order granting motion to set; checked court availability; emailed PI's counsel, re: choose date for hearing	$425.00	1.0	$425.00
10/21/2020	DW	Review	Reviewed Order, re: CMC unnecessary	$425.00	0.1	$42.50
10/21/2020	DW	Telephone	Spoke w/ client, re: media response	$425.00	0.2	$85.00
10/21/2020	DW	Telephone	Spoke w/ client, re: media response	$425.00	0.1	$42.50
10/21/2020	DW	Telephone	Spoke w/ client, re: media response	$425.00	0.1	$42.50
10/21/2020	DW	Telephone	Spoke w/ client, re: media response	$425.00	0.1	$42.50
10/21/2020	DW	Telephone	Spoke w/ client, re: media response	$425.00	0.1	$42.50
10/21/2020	DW	E-mail	Sent email w/ Aronberg statement to media	$425.00	0.1	$42.50
10/21/2020	AIJ	Meeting	Discussed media response w/ DAW	$475.00	0.3	$142.50
10/21/2020	DW	Meeting	Discussed media response w/ AIJ	$425.00	0.3	$127.50
10/22/2020	DW	Various	Reviewed PI's Notice of Dropping Aronberg as party; spoke w/ Client and AIJ, re: notice and next steps	$425.00	0.5	$212.50

10/22/2020	AIJ	Various	Reviewed Pl's Notice of Dropping Aronberg as party; spoke w/ Client and DAW, re: notice and next steps	$475.00	0.5	$237.50
					Totals:	74.8 $32,440.00

Time Entry Sub-Total:	$32,440.00
Sub-Total:	$32,440.00
Total:	$32,440.00
Amount Paid:	$0.00
Balance Due:	**$32,440.00**

EXHIBIT "F"

EXHIBIT "F"

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

CA FLORIDA HOLDINGS, LLC,
Publisher of the PALM BEACH POST,

Plaintiff,

v. CASE NO.: 19-CA-014681

DAVE ARONBERG, as State Attorney of Palm Beach County, Florida; SHARON R. BOCK, as Clerk and Comptroller of Palm Beach County, Florida.

Defendants.
_____/

AFFIDAVIT OF ATTORNEYS' FEES

STATE OF FLORIDA
COUNTY OF NASSAU

BEFORE ME, the undersigned authority appeared Douglas A. Wyler, Esq., who, after being first duly sworn, deposes and says:

1. Affiant is a partner of JACOBS, SCHOLZ & WYLER, LLC, counsel for Defendant, DAVE ARONBERG, as State Attorney of Palm Beach County, Florida, ("Aronberg"), as well as general counsel to the Florida Prosecuting Attorneys Association, ("FPAA"), and makes this Affidavit of his own personal knowledge.

2. Affiant is licensed to practice law in the State of Florida, is an active member of the Florida Bar in good standing and has engaged in the practice of law in the State of Florida since 2015.

3. As detailed herein, the services rendered by Affiant and his firm pertain to Affiant's demand letter and motion for attorneys' fees sent to Plaintiff's counsel pursuant to § 57.105, Florida Statutes, on June 8, 2020, in defending against Count I of Plaintiff's Amended Complaint

and Plaintiff's October 21, 2020 Notice of Dropping State Attorney, Dave Aronberg from the above-captioned lawsuit. ***See, Exhibits "A" and "B" attached hereto.***

4. The total time Affiant's law firm has expended services rendered to date is **74.8 hours**, however, from the date of Defendant Aronberg's 57.105 demand, Affiant's law firm has expended a total of **42.2 hours**. Of the 42.2 hours expended since Defendant Aronberg's 57.105 demand was served, the Affiant

5. Of the 42.2 hours expended since Defendant Aronberg's 57.105 demand was served, the total time Affiant has expended services rendered to date is **35.4 hours** at the rate of **$425.00 per hour**. Likewise, the total time Affiant's law partner, Arthur I. Jacobs, has expended services rendered to date is **6.8 hours** at the rate of **$475.00 per hour**.

6. Accordingly, since Defendant Aronberg's 57.105 demand was served, Defendant Aronberg's counsel, JACOBS, SCHOLZ & WYLER, LLC, has rendered services in the amount of $18,275.00, in conjunction with the defense of the instant action pursuant to § 57.105, Florida Statutes. ***See, Exhibit "C" attached hereto.***

7. Affiant expects to incur an additional 4.0 hours at $425.00 an hour in preparing for and attending the hearing on attorneys' fees. Thus, the total amount of hourly attorneys' fees the State Attorney is seeking is **46.2 hours** for a total of **$19,975.00**. Additionally, the State Attorney seeks a multiplier of 2.0, which when applied makes the grand total attorneys' fees sought herein **$39,950.00**.

Dated this 9th day of November, 2020.

FURTHER AFFIANT SAYETH NOT.

Douglas A. Wyler, Esq., Fla. Bar. No. 119979

STATE OF FLORIDA
COUNTY OF NASSAU

The foregoing instrument was acknowledged before me this 9th day of November, 2020, by Douglas A. Wyler, Esquire, who is personally known to me and who did take an oath.

Signature of Notary Public – State of Florida

Taran R. Jackson
Name typed, printed or stamped

TARAN R JACKSON
Notary Public - State of Florida
Commission # GG 354841
My Comm. Expires Aug 17, 2023
Bonded through National Notary Assn.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of November, 2020, a copy of the foregoing has been electronically filed with the Florida E-File Portal for e-service on all parties of record herein.

JACOBS SCHOLZ & WYLER, LLC

/s/ Douglas A. Wyler

Arthur I. Jacobs, Esq.
Fla. Bar No.: 10249
Richard J. Scholz, Esq.
Fla. Bar No.: 0021261
Douglas A. Wyler, Esq.
Fla. Bar No.: 119979
961687 Gateway Blvd., Suite 201-I
Fernandina Beach, Florida 32034
(904) 261-3693
(904) 261-7879 Fax
Primary: jacobsscholzlaw@comcast.net

Attorneys for Defendant, Dave Aronberg

EXHIBIT "A"

EXHIBIT "A"

Subject: SERVICE OF COURT DOCUMENT; CASE NO. 2019-CA-014681; CA FLORIDA HOLDINGS, LLC V. DAVE ARONBERG ET AL.
Date: Monday, June 8, 2020 at 3:58:58 PM Eastern Daylight Time
From: Douglas Wyler
To: 'mendelsohns@gtlaw.com', smithl@gtlaw.com, flservice@gtlaw.com, BoyajianN@gtlaw.com, riveraal@gtlaw.com, GRYGIELM@gtlaw.com
Attachments: 2020-06-08 Aronberg 57.105 Demand and Motion for Attorneys' Fees.pdf

Court:	Circuit Court of the Fifteenth Judicial Circuit, in and for Palm Beach County, Florida
Case No:	Case No. 2020-CA-014681
Plaintiff:	CA Florida Holdings, LLC
Defendant:	Dave Aronberg
Title of Documents Served:	• Fla. Stat. § 57.105 Demand Letter • Defendant, Dave Aronberg's Motion for Attorneys' Fees
Sender's Name and Telephone Number:	Douglas Wyler (904) 261-3693

Sincerely,

Doug Wyler, Esq.
Jacobs, Scholz & Wyler, LLC
961687 Gateway Blvd., STE 201-I
Fernandina Beach, FL 32034
904-261-3693
904-261-7879 (fax)

JACOBS SCHOLZ & WYLER, LLC.

A LIMITED LIABILITY COMPANY OF PROFESSIONAL ASSOCIATIONS
ATTORNEYS AT LAW
GATEWAY TO AMELIA
961687 GATEWAY BLVD., SUITE 201-I
FERNANDINA BEACH, FLORIDA 32034

TELEPHONE (904) 261-3693
FAX NO. (904) 261-7879

THE LAW OFFICES OF
JACOBS & ASSOCIATES, P.A.
ARTHUR I. JACOBS

RICHARD J. SCHOLZ, P.A.
RICHARD J. SCHOLZ

DOUGLAS A. WYLER, P.A.
DOUGLAS A. WYLER

June 8, 2020

VIA ELECTRONIC & U.S. MAIL
Stephen A. Mendelsohn, Esq.
Greenburg Traurig, P.A.
5100 Town Center Circle, Suite 400
Boca Raton, FL 33486

RE: CA Florida Holdings, LLC v. Dave Aronberg et al.
Palm Beach County, Case No.: 2019-CA-014681

Dear Mr. Mendelsohn:

As you are aware our firm represents the interests of Dave Aronberg, as State Attorney of Palm Beach County, Florida, in the above referenced matter. The purpose of this letter is to demand the voluntary dismissal of your First Amended Complaint, (the "Complaint"), dated January 17, 2020. This demand is made pursuant to section 57.105, Florida Statutes.

As you know, Section 57.105 provides:

(1) Upon the court's initiative or motion of any party, the court shall award a reasonable attorney's fee, including prejudgment interest, to be paid to the prevailing party in equal amounts by the losing party and the losing party's attorney on any claim or defense at any time during a civil proceeding or action in which the court finds that the losing party or the losing party's attorney knew or should have known that a claim or defense when initially presented to the court or at any time before trial:
   a. Was not supported by the material facts necessary to establish the claim or defense; or
   b. Would not be supported by the application of then-existing law to those material facts.

Today, Judge Marx granted, with prejudice, Defendant Aronberg's Motion to Dismiss Count II of the Plaintiff's Complaint. Pursuant to the Court's ruling, the Plaintiff's only remaining cause of action consists of Count I, for Declaratory Relief. Accordingly, we believe that the Complaint filed herein and its sole remaining Count for Declaratory Relief is not supported by the material facts necessary to establish the claims asserted, and that your claims are not supported by the application of current law to said material facts.

First and foremost, the Complaint is not supported by the material facts necessary to establish the claims asserted because neither Defendant Aronberg, nor The Office of the State Attorney for the Fifteenth Judicial Circuit is in custody or control of the 2006 grand jury materials sought therein. Simply put, the declaratory relief sought by the Plaintiff, seeks records from my client that are impossible for him or his office to produce. Accordingly, Defendant Aronberg is not a proper party to this action because no matter what, he and his office do not have possession, custody, or control of the requested materials.

In addition to the foregoing material facts that negate the claims asserted in the Complaint, your claims are also not supported by the application of current law. Specifically, your action for declaratory relief fails based on the clear, unambiguous statutory language found in Section 905.27(2), Florida Statutes, which states:

> When such disclosure is ordered by a court pursuant to subsection (1) for use in a civil case, it may be disclosed to all parties to the case and to their attorneys and by the latter to their legal associates and employees. However, *the grand jury testimony* afforded such persons by the court *can only be used in the defense or prosecution of the civil or criminal case and for no other purpose whatsoever*.

Moreover, even if the Plaintiff were to prevail in the declaratory action, Mr. Aronberg would be unable to comply with any court order granting disclosure of the requested documents because neither Mr. Aronberg nor The Office of the State Attorney for the Fifteenth Judicial Circuit have possession, custody, or control of the 2006 Epstein grand jury records.

Based on the foregoing, if the Complaint is not dismissed within 21 days of the service of this letter, the enclosed Motion for Attorney's Fees will be filed and we will seek as sanctions, from your client and your firm, recovery of the legal expenses incurred in defending this frivolous action.

Please govern yourself accordingly,

Douglas A. Wyler, Esq.
For the Firm

Encl.: Defendant's Motion for Attorneys' Fees

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

CA FLORIDA HOLDINGS, LLC,
Publisher of the PALM BEACH POST,

Plaintiff,

v. CASE NO.: 19-CA-014681

DAVE ARONBERG, as State Attorney of Palm Beach County, Florida; SHARON R. BOCK, as Clerk and Comptroller of Palm Beach County, Florida.

Defendants.
_____/

DEFENDANT, DAVE ARONBERG'S MOTION FOR ATTORNEYS' FEES

Defendant, DAVE ARONBERG, as State Attorney of Palm Beach County, Florida, by and through the undersigned attorneys, moves the Court, pursuant to Florida Statutes, Section 57.105, to award him reasonable attorneys' fees for the defense of Plaintiff's First Amended Complaint, (the "Complaint"), and as grounds therefor, would show that on June 8, 2020, Plaintiff was served a copy of this Motion, together with a letter from the undersigned attorney, in accordance with subsection (4) of the above Statute, demanding dismissal of the Complaint, at least 21 days prior to the filing of this Motion. In said letter, Defendant's attorney advised Plaintiff of the facts which establish that the Complaint is without support of the facts or the law.

WHEREFORE, Defendant, DAVE ARONBERG, as State Attorney of Palm Beach County, Florida, respectfully requests the Court enter an Order requiring Plaintiff and Plaintiff's attorneys to pay said Defendant's attorneys' fees incurred herein after service of this Motion.

CERTIFICATE OF SERVICE

I hereby certify that on this ____ day _____, 2020, the foregoing was electronically filed via the Florida E-File Portal for electronic service on the parties of record herein.

JACOBS SCHOLZ & WYLER, LLC

/s/ Douglas A. Wyler

Arthur I. Jacobs, Esquire
Fla. Bar No.: 108249
Richard J. Scholz, Esquire
Fla. Bar No.: 0021261
Douglas A. Wyler, Esquire
Fla. Bar No.: 119979
961687 Gateway Blvd., Suite 201-I
Fernandina Beach, Florida 32034
(904) 261-3693
(904) 261-7879
jacobsscholzlaw@comcast.net

Attorneys for Defendant

EXHIBIT "B"

EXHIBIT "B"

Filing # 115383434 E-Filed 10/21/2020 04:13:35 PM

IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT IN AND
FOR PALM BEACH COUNTY, FLORIDA

CA FLORIDA HOLDINGS, LLC,
Publisher of *THE PALM BEACH POST*,

Plaintiff,

v.

DAVE ARONBERG, as State Attorney of Palm Beach County, Florida; SHARON R. BOCK, as Clerk and Comptroller of Palm Beach County, Florida,

Defendants.

CASE NO.: 50-2019-CA-014681-XXXX-MB

DIVISION: AG

PLAINTIFF CA HOLDINGS, LLC'S
NOTICE OF DROPPING STATE ATTORNEY, DAVE ARONBERG

Plaintiff, CA HOLDINGS, LLC, pursuant to Fla. R. Civ. P. 1250(b), hereby notifies the parties that it has dropped State Attorney, Dave Aronberg from the above case.

Respectfully submitted,

GREENBERG TRAURIG, P.A.
Attorneys for CA Florida Holdings, LLC, Publisher of The Palm Beach Post

Stephen A. Mendelsohn, Esq.
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By: */s/ Stephen A. Mendelsohn*
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By: /s/ Nina D. Boyajian
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of October, 2020, a true and correct copy of the foregoing has been filed with the Clerk of the Court using the State of Florida e-filing system, which will send a notice of electronic service for all parties of record herein

/s/ Stephen A. Mendelsohn
STEPHEN A. MENDELSOHN

ACTIVE 53317341v1

EXHIBIT "C"

EXHIBIT "C"

Jacobs Scholz & Wyler, LLC
961687 Gateway Blvd., Suite 201I
Fernandina Beach, FL 32034
United States
904-261-3693

Jacobs Scholz & Wyler, LLC

Dave Aronberg

Balance	$32,440.00
Invoice #	00307
Invoice Date	November 6, 2020
Payment Terms	
Due Date	

Aronberg (SAO15) adv. CA Florida Holdings, LLC

Time Entries

Date	EE	Activity	Description	Rate	Hours	Line Total
11/26/2019	DW	Review	Initial review of summons and complaint	$425.00	1.5	$637.50
11/26/2019	DW	Review	Reviewed motion for pro hac vice and Judge Hafele' order granting	$425.00	0.2	$85.00
11/26/2019	DW	Teleconference	Teleconference w/ Client, re: response to lawsuit	$425.00	0.5	$212.50
11/26/2019	DW	Draft	Drafted engagement letter and sent to client	$425.00	0.3	$127.50
11/26/2019	DW	Review	Reviewed 15th circuit local rules	$425.00	1.0	$425.00
11/26/2019	AIJ	Review	Initial review of complaint	$475.00	1.0	$475.00
11/26/2019	AIJ	Meeting	Meeting w/ DAW to discuss lawsuit and strategy	$475.00	0.5	$237.50
11/26/2019	DW	Meeting	Meeting w/ AIJ to discuss lawsuit and strategy	$425.00	0.5	$212.50
11/26/2019	AIJ	Teleconference	Teleconference w/ Client, re: response to lawsuit	$475.00	0.5	$237.50
12/02/2019	DW	Research & Preparation	Research and prep for Motion to dismiss	$425.00	2.0	$850.00
12/02/2019	DW	Draft	1st Draft motion to dismiss	$425.00	1.0	$425.00
12/02/2019	DW	Teleconference	Teleconference w/ Client, re: draft motion to dismiss	$425.00	0.5	$212.50
12/02/2019	AIJ	Review	Reviewed 1st Draft MTDismiss	$475.00	0.3	$142.50
12/02/2019	AIJ	Teleconference	Teleconference w/ client, re: draft motion to dismiss	$475.00	0.5	$237.50
12/03/2019	AIJ	Meeting	Meeting w/ DAW, re: motion to dismiss	$475.00	0.2	$95.00
12/03/2019	DW	Meeting	Meeting w/ AIJ, re: MTDismiss	$425.00	0.2	$85.00
12/06/2019	DW	Draft	Completed final draft of motion to dismiss; filed with Court	$425.00	0.7	$297.50
12/06/2019	DW	Teleconference	Spoke w/ client, re: final draft of motion to dismiss	$425.00	0.5	$212.50

12/06/2019	DW	Teleconference	Spoke with Clerk's attorney, re: response	$425.00	0.5	$212.50
12/06/2019	AIJ	Review	Reviewed final draft MTDismiss	$475.00	0.2	$95.00
12/06/2019	AIJ	Review	Reviewed Clerk's MTDismiss	$475.00	0.2	$95.00
12/13/2019	DW	Review	Reviewed Clerk's Motion to Dismiss	$425.00	0.5	$212.50
01/16/2020	DW	Review	Reviewed Order Setting Hearing on Defendants' MTDismiss	$425.00	0.1	$42.50
01/16/2020	DW	Review	Reviewed motion for pro hac vice	$425.00	0.1	$42.50
01/17/2020	DW	Review	Reviewed Pl's Amended Complaint	$425.00	1.0	$425.00
01/17/2020	DW	Teleconference	Spoke with client, re: Amended Complaint	$425.00	0.5	$212.50
01/17/2020	DW	Review	Reviewed Pl's notice of filing	$425.00	0.1	$42.50
01/20/2020	AIJ	Review	Reviewed Pl's Am. Compl	$475.00	0.3	$142.50
01/21/2020	DW	Review	Reviewed Judge Marx's Order Cancelling MTDismiss Hearing	$425.00	0.1	$42.50
01/21/2020	DW	Review	Reviewed Pl's Objection to Defendants' MTDismiss	$425.00	0.2	$85.00
01/21/2020	DW	Teleconference	Spoke with client, re: Amended complaint	$425.00	0.5	$212.50
01/21/2020	AIJ	Meeting	Meeting w/ DAW, re: response to Am. Compl	$475.00	0.2	$95.00
01/21/2020	DW	Meeting	Meeting w/ AIJ, re: response to Am. Compl.	$425.00	0.2	$85.00
01/22/2020	DW	Review	Reviewed Order granting pro hac vice admission	$425.00	0.1	$42.50
01/22/2020	DW	Research & Draft	Researched and drafted response to Amended Complaint	$425.00	1.0	$425.00
01/23/2020	DW	Teleconference	Spoke with Clerk's attorney, re: response to amended complaint	$425.00	0.2	$85.00
01/24/2020	DW	Various	Completed Answer/MTDismiss Amended Complaint; filed with Court; sent copy to Client	$425.00	1.0	$425.00
01/24/2020	DW	Draft	Drafted and filed Notice of Unavailability	$425.00	0.4	$170.00
01/24/2020	AIJ	Review	Reviewed final Answer/MTDismiss	$475.00	0.2	$95.00
01/27/2020	DW	Review	Reviewed Clerk's Answer/MTDismiss	$425.00	0.3	$127.50
02/03/2020	DW	Review	Reviewed Order setting hearing on Defs' MTDismiss	$425.00	0.1	$42.50
02/03/2020	DW	Teleconference	Spoke w/ client, re: order setting MTDismiss hearing for March 24, 2020	$425.00	0.5	$212.50
03/13/2020	DW	Review	Reviewed Pl's Opposition to Aronberg MTDismiss & Clerk's MTDismiss	$425.00	1.5	$637.50
03/13/2020	AIJ	Review	Reviewed Pl's Opposition to Aronberg MTDismiss & Clerk's MTDismiss	$475.00	0.7	$332.50
03/18/2020	DW	Teleconference	Reviewed email from Pl's counsel, re: motion to continue hearing	$425.00	0.1	$42.50
03/18/2020	DW	Review	Reviewed Pl's unopposed motion for continuance	$425.00	0.1	$42.50
03/18/2020	DW	E-mail	Emails w/ Clerk's counsel, re: Pl's request to continue hearing	$425.00	0.2	$85.00
03/19/2020	DW	E-mail	Reviewed email from Pl, re: agreed order & responded	$425.00	0.1	$42.50
03/20/2020	DW	Review	Reviewed Court's agreed order continuing hearing	$425.00	0.1	$42.50

04/21/2020	DW	Review	Reviewed order rescheduling hearing on Defs' MTDismiss	$425.00	0.1	$42.50
04/21/2020	DW	Teleconference	Spoke w/ client, re: order rescheduling MTDismiss hearing for June 3, 2020	$425.00	0.3	$127.50
04/21/2020	AIJ	Review	Reviewed Order rescheduling MTDismiss hearing	$475.00	0.1	$47.50
05/22/2020	DW	Review	Reviewed order setting Zoom hearing, re: MTDismiss	$425.00	0.1	$42.50
05/22/2020	DW	Teleconference	Spoke w/ client, re: hearing will be via Zoom	$425.00	0.2	$85.00
05/27/2020	DW	Review	Reviewed Clerk's filing: change of atty of record	$425.00	0.1	$42.50
05/27/2020	DW	Teleconference	Spoke with Clerk's new counsel, Nicole Fingerhut	$425.00	0.2	$85.00
05/28/2020	DW	E-mail	Reviewed PI's email, re: cases and authorities for MTDismiss hearing; responded	$425.00	0.1	$42.50
05/29/2020	DW	Preparation	Began oral argument prep for 6/8 MTDismiss hearing	$425.00	1.0	$425.00
06/01/2020	DW	E-mail	Reviewed email from Judge Marx's JA and responded	$425.00	0.1	$42.50
06/02/2020	DW	Various	Reviewed PI's 500+ page binder, re: MTDismiss & prepped for hearing	$425.00	3.0	$1,275.00
06/02/2020	DW	E-mail	Drafted and sent email to client, re: MTD hearing tomorrow	$425.00	0.1	$42.50
06/03/2020	DW	Attend Hearing	Prepped for and attended MTDismiss hearing via Zoom	$425.00	1.5	$637.50
06/03/2020	DW	Teleconference	Spoke w/ Client, re: debrief MTDismiss hearing	$425.00	0.5	$212.50
06/03/2020	DW	E-mail	Emailed courtesy copies of Aronberg's Answer and MTDismiss to Judge Marx	$425.00	0.1	$42.50
06/03/2020	DW	E-mail	Reviewed response from Client and replied	$425.00	0.1	$42.50
06/03/2020	AIJ	Attend Hearing	Attended MTDismiss hearing via Zoom	$475.00	1.0	$475.00
06/03/2020	AIJ	Review	Reviewed order granting MTDismiss w/ prejudice	$475.00	0.3	$142.50
06/08/2020	DW	Review	Reviewed Court's Order Granting Defendants MTDismiss Count II w/ Prejudice	$425.00	0.5	$212.50
06/08/2020	DW	Various	Shared order w/ Client and spoke w/, re: result and plan going forward, re: 57.105	$425.00	0.5	$212.50
06/08/2020	DW	Various	Researched § 57.105 Fla. Stat.; drafted 57.105 demand letter and proposed motion for attorneys' fees/sanctions; Served PI's counsel with demand letter and proposed motion.	$425.00	2.0	$850.00
06/08/2020	AIJ	Meeting	Meeting w/ DAW, re: Order & 57.105	$475.00	0.3	$142.50
06/08/2020	DW	Meeting	Meeting w/ AIJ, re: Order & 57.105	$425.00	0.3	$127.50
06/08/2020	AIJ	Review	Reviewed 57.105 demand and proposed motion for sanction	$475.00	0.2	$95.00
06/10/2020	DW	Various	Reviewed notice of change of attorney, re: Clerk; called and spoke w/ new counsel Cynthia Guerra	$425.00	0.3	$127.50
06/23/2020	DW	Various	Reviewed PI's letter refusing to voluntarily dismiss amended complaint despite 57.105 demand; called and spoke w/ client, re: PI's refusal & next steps	$425.00	1.0	$425.00

06/23/2020	DW	E-mail	Sent client copy of Pl's letter refusing to dismiss complaint	$425.00	0.1	$42.50
06/23/2020	AIJ	Review	Reviewed Pl's letter refusing to dismiss Count I/Am Compl	$475.00	0.1	$47.50
07/01/2020	DW	Various	Spoke w/ client, re: filing of 57.105 motion for fees/sanctions; filed motion for attorneys' fees based on Pl's failure to voluntarily dismiss amended complaint count 1	$425.00	0.5	$212.50
07/02/2020	DW	E-mail	Email to client, re: affidavit and summary judgment	$425.00	0.1	$42.50
07/08/2020	DW	Teleconference	Discussed w/ Client drafting and filing Motion for Summary Judgment and MSJ evidence	$425.00	0.7	$297.50
07/08/2020	AIJ	Teleconference	Discussed w/ Client drafting and filing Motion for Summary Judgment and MSJ evidence	$475.00	0.7	$332.50
07/10/2020	DW	Draft	Created 1st draft of Aronberg Affidavit; shared w/ client	$425.00	1.0	$425.00
07/10/2020	AIJ	Various	Reviewed draft affidavit and discussed w/ DAW	$475.00	0.3	$142.50
07/10/2020	DW	Meeting	Discussed draft affidavit w/ AIJ	$425.00	0.2	$85.00
07/13/2020	DW	Review	Reviewed Pl's Request to Produce, re: Clerk	$425.00	0.1	$42.50
07/13/2020	DW	Teleconference	Spoke w/ Clerk's counsel, re: Request to Produce	$425.00	0.2	$85.00
07/27/2020	DW	Review	Reviewed Pl's Amended Request to Produce, re: Clerk	$425.00	0.1	$42.50
07/27/2020	DW	Teleconference	Spoke w/ Clerk's counsel, re: Amended Request to Produce	$425.00	0.1	$42.50
07/28/2020	DW	Draft	Revised Aronberg affidavit	$425.00	0.5	$212.50
07/29/2020	DW	Draft	Finalized Aronberg Affidavit and sent to client	$425.00	0.5	$212.50
07/29/2020	DW	Research & Preparation	Research and prep for Motion for Summary Judgment	$425.00	1.0	$425.00
07/30/2020	DW	Various	Received executed Aronberg Affidavit	$425.00	0.1	$42.50
07/30/2020	DW	Draft	Began drafting Motion for Summary Judgment	$425.00	2.0	$850.00
08/05/2020	DW	Draft	Continued drafting Motion for Summary Judgment	$425.00	1.0	$425.00
08/07/2020	DW	Review	Reviewed email from Plaintiff attempting to set hearing on 57.105 motion for fees/sanctions	$425.00	0.1	$42.50
08/10/2020	DW	E-mail	Sent responsive email to Pl's counsel	$425.00	0.1	$42.50
08/17/2020	DW	Meeting	Discussed draft MSJ w/ AIJ	$425.00	0.2	$85.00
08/17/2020	AIJ	Various	Reviewed draft MSJ and met w/ DAW to discuss	$475.00	0.5	$237.50
08/18/2020	DW	Draft	Finalized Motion for Summary Judgment; filed w/ court along with Aronberg affidavit	$425.00	2.0	$850.00
08/27/2020	DW	Teleconference	Spoke w/ Clerk's counsel, re: request to produce	$425.00	0.1	$42.50
09/01/2020	DW	Various	Reviewed Pl's email and accepted conference call invite for 9/2/20	$425.00	0.1	$42.50
09/02/2020	DW	Review	Reviewed Clerk's response to request for production	$425.00	0.2	$85.00
09/02/2020	DW	Teleconference	Spoke w/ Pl's counsel, re: dispute as to whether MSJ should be heard before 57.105 fee motion or vis versa - call was unsuccessful	$425.00	0.5	$212.50

09/02/2020	AIJ	Meeting	Discussed w/ DAW phone call w/ PI's counsel	$475.00	0.2	$95.00
09/02/2020	DW	Meeting	Discussed w/ AIJ phone call w/ PI's counsel	$425.00	0.2	$85.00
09/16/2020	DW	E-mail	Reviewed email from PI's counsel requested Aronberg to withdraw sanctions motion w/o prejudice	$425.00	0.1	$42.50
09/17/2020	DW	Meeting	Discussed w/ AIJ filing motion for CMC	$425.00	0.1	$42.50
09/17/2020	AIJ	Meeting	Discussed w/ DAW filing motion for CMC	$475.00	0.1	$47.50
09/18/2020	DW	Various	Drafted and filed motion to set case management conference, re: MSJ 1st or Fee hearing 1st	$425.00	0.5	$212.50
09/18/2020	DW	E-mail	Responded to PI's 9/16/20 email and refused to withdraw 57.105 motion; provided copy of motion to set CMC and available dates for hearing	$425.00	0.1	$42.50
09/18/2020	DW	E-mail	Reviewed PI's email insisting that 57.105 motion be withdrawn	$425.00	0.1	$42.50
09/18/2020	DW	E-mail	Replied to PI's counsel that the 57.105 motion for sanctions will not be withdrawn and asking for response, re: CMC	$425.00	0.1	$42.50
09/18/2020	DW	E-mail	Sent client copy of email exchange w/ PI's counsel; called and spoke w/ Client	$425.00	0.5	$212.50
09/22/2020	DW	Various	Drafted and filed Notice of Hearing on 10/15/20; set up Court Call; spoke w/ client, re: hearing date	$425.00	0.7	$297.50
10/02/2020	DW	Review	Reviewed PI's Memo of Law opposing Aronberg's 57.105 motion for fees/sanctions	$425.00	0.7	$297.50
10/02/2020	DW	Review	Reviewed PI's Response to Aronberg's request to schedule 57.105 motion for fees after MSJ	$425.00	0.5	$212.50
10/02/2020	AIJ	Review	Reviewed PI's Memo of Law opposing 57.105 motion	$475.00	0.5	$237.50
10/02/2020	AIJ	Review	Reviewed PI's Response to Aronberg's request to schedule 57.105 motion after MSJ	$475.00	0.4	$190.00
10/12/2020	DW	Research	Research caselaw & statutes, re: response to PI's Memo of Law	$425.00	1.0	$425.00
10/13/2020	DW	Research & Analyze	Continued researching caselaw, re: response to PI's memo of law	$425.00	1.0	$425.00
10/13/2020	DW	Draft	Created 1st draft of Response to PI's Memo of Law and shared w/ Client	$425.00	4.0	$1,700.00
10/13/2020	DW	Meeting	Discussed w/ AIJ caselaw and draft response to memo	$425.00	0.5	$212.50
10/13/2020	AIJ	Various	Reviewed draft MSJ, discussed draft w/ DAW and caselaw	$475.00	0.7	$332.50
10/14/2020	DW	Draft	Finalized and filed Response to PI's Memo of Law	$425.00	1.0	$425.00
10/14/2020	DW	Telephone	Spoke w/ client, re: memo of law	$425.00	0.2	$85.00
10/14/2020	DW	Telephone	Spoke w/ client again, re: response to memo of law	$425.00	0.1	$42.50
10/15/2020	DW	Attend Hearing	Attended hearing, re: Motion to Set CMC; called client to discuss	$425.00	1.5	$637.50
10/15/2020	DW	Various	Reviewed email and letter from PI, re: settlement. Sent copy to Client and called to discuss.	$425.00	0.5	$212.50

10/15/2020	DW	Telephone	Spoke w/ Pl's counsel, re: settlement	$425.00	0.1	$42.50
10/15/2020	DW	Telephone	Spoke w/ client, re: Pl's settlement proposal	$425.00	0.2	$85.00
10/15/2020	AIJ	Various	Attended hearing, re: motion to set CMC; discussed w/ client	$475.00	1.0	$475.00
10/15/2020	AIJ	Various	Discussed Pl's settlement proposal w/ DAW and then w/ Client	$475.00	0.4	$190.00
10/15/2020	DW	Meeting	Discussed Pl's settlement proposal w/ AIJ	$425.00	0.2	$85.00
10/16/2020	DW	Various	Drafted and shared proposed order w/ Pl's counsel	$425.00	0.5	$212.50
10/16/2020	DW	Telephone	Spoke w/ Pl's counsel, re: settlement	$425.00	0.2	$85.00
10/16/2020	DW	Telephone	Spoke w/ client, re: Pl's settlement proposal	$425.00	0.5	$212.50
10/16/2020	DW	Meeting	Discussed Pl's settlement proposal w/ AIJ	$425.00	0.2	$85.00
10/16/2020	AIJ	Meeting	Discussed Pl's settlement proposal w/ DAW	$475.00	0.2	$95.00
10/19/2020	DW	Various	Uploaded proposed order, re: CMC for Judge Hafele	$425.00	0.1	$42.50
10/19/2020	DW	Telephone	Spoke w/ client, re: Pl's settlement proposal	$425.00	0.2	$85.00
10/19/2020	DW	Telephone	Spoke w/ Pl's counsel, re: settlement	$425.00	0.1	$42.50
10/19/2020	AIJ	Meeting	Discussed Pl's settlement proposal w/ DAW	$475.00	0.2	$95.00
10/19/2020	DW	Meeting	Discussed Pl's settlement proposal w/ AIJ	$425.00	0.2	$85.00
10/20/2020	DW	Various	Reviewed email from Pl, re: settlement; sent copy to Client and called to discuss	$425.00	0.5	$212.50
10/20/2020	DW	Telephone	Spoke w/ client, re: settlement	$425.00	0.4	$170.00
10/20/2020	DW	Telephone	Spoke w/ Pl's counsel, re: settlement	$425.00	0.1	$42.50
10/20/2020	DW	Telephone	Spoke w/ client, re: settlement	$425.00	0.1	$42.50
10/20/2020	DW	Meeting	Discussed Pl's settlement proposal w/ AIJ	$425.00	0.2	$85.00
10/20/2020	AIJ	Meeting	Discussed Pl's settlement proposal w/ DAW	$475.00	0.2	$95.00
10/21/2020	DW	Various	Drafted and filed Motion to Set Hearing on Aronberg MSJ; drafted proposed order granting motion to set; checked court availability; emailed Pl's counsel, re: choose date for hearing	$425.00	1.0	$425.00
10/21/2020	DW	Review	Reviewed Order, re: CMC unnecessary	$425.00	0.1	$42.50
10/21/2020	DW	Telephone	Spoke w/ client, re: media response	$425.00	0.2	$85.00
10/21/2020	DW	Telephone	Spoke w/ client, re: media response	$425.00	0.1	$42.50
10/21/2020	DW	Telephone	Spoke w/ client, re: media response	$425.00	0.1	$42.50
10/21/2020	DW	Telephone	Spoke w/ client, re: media response	$425.00	0.1	$42.50
10/21/2020	DW	Telephone	Spoke w/ client, re: media response	$425.00	0.1	$42.50
10/21/2020	DW	E-mail	Sent email w/ Aronberg statement to media	$425.00	0.1	$42.50
10/21/2020	AIJ	Meeting	Discussed media response w/ DAW	$475.00	0.3	$142.50
10/21/2020	DW	Meeting	Discussed media response w/ AIJ	$425.00	0.3	$127.50
10/22/2020	DW	Various	Reviewed Pl's Notice of Dropping Aronberg as party; spoke w/ Client and AIJ, re: notice and next steps	$425.00	0.5	$212.50

10/22/2020	AIJ	Various	Reviewed PI's Notice of Dropping Aronberg as party; spoke w/ Client and DAW; re: notice and next steps	$475.00	0.5	$237.50
				Totals:	74.8	$32,440.00

Time Entry Sub-Total:	$32,440.00
Sub-Total:	$32,440.00
Total:	$32,440.00
Amount Paid:	$0.00
Balance Due:	**$32,440.00**

EXHIBIT "G"

EXHIBIT "G"

JACOBS SCHOLZ & WYLER, LLC.

A LIMITED LIABILITY COMPANY OF PROFESSIONAL ASSOCIATIONS
ATTORNEYS AT LAW
GATEWAY TO AMELIA
961687 GATEWAY BLVD., SUITE 201-I
FERNANDINA BEACH, FLORIDA 32034

TELEPHONE (904) 261-3693
FAX NO. (904) 261-7879

THE LAW OFFICES OF
JACOBS & ASSOCIATES, P.A.
ARTHUR I. JACOBS

RICHARD J. SCHOLZ, P.A.
RICHARD J. SCHOLZ

DOUGLAS A. WYLER, P.A.
DOUGLAS A. WYLER

November 26, 2019

Office of the State Attorney
15th Judicial Circuit
Attn: Jeanne Howard
401 North Dixie Highway
West Palm Beach, FL 33401

Re: CA Florida Holdings, LLC v. Dave Aronberg et al.
Case No.: 2019-CA-014681

Dear Mrs. Howard:

The purpose of this letter is to confirm that Jacobs Scholz & Wyler, LLC will represent you regarding the above-referenced matter.

Our fees will be contingent upon our success in this matter. You will not be liable or required to pay any monies to our office unless we are successful in our representation of you regarding the above-referenced litigation and receive a court order awarding attorneys' fees.

Accordingly, should we be successful in this matter, you agree to be billed for the time incurred in defending this action at our current hourly rates. At this time, our current hourly rates are: $475.00/hour for senior partners, $425.00/hour for other partners, $375.00/hour for associate attorneys, and $125.00/hour for paralegal time.

Furthermore, the attorneys' fees paid to our firm shall be calculated by the above listed hourly rates multiplied by the number of hours expended in defending this action or the total fee mandated and awarded by the court order herein, whichever is greater.

By signing below, you agree to the terms as set forth above. Please return a signed and dated copy of this letter to our office. If you have any questions or concerns, please contact our office. On behalf of the firm, we are proud to represent you in this matter.

Sincerely,

Douglas A. Wyler, Esq.
For the Firm

Client

6/4/2020
Date

EXHIBIT "D"

EXHIBIT "D"

Jacobs Scholz & Wyler, LLC
961687 Gateway Blvd., Suite 201I
Fernandina Beach, FL 32034
United States
904-261-3693

Jacobs Scholz & Wyler, LLC

Dave Aronberg

Balance	$70,900.27
Invoice #	00409
Invoice Date	April 12, 2022
Payment Terms	
Due Date	

Aronberg (SAO15) adv. CA Florida Holdings, LLC

Time Entries

Date	EE	Activity	Description	Rate	Hours	Line Total
11/26/2019	DW	Review	Initial review of summons and complaint.	$425.00	1.5	$637.50
11/26/2019	DW	Review	Reviewed motion for pro hac vice and Judge Hafele' order granting	$425.00	0.2	$85.00
11/26/2019	DW	Teleconference	Teleconference w/ Client, re: response to lawsuit	$425.00	0.5	$212.50
11/26/2019	DW	Draft	Drafted engagement letter and sent to client	$425.00	0.3	$127.50
11/26/2019	DW	Review	Reviewed 15th circuit local rules	$425.00	1.0	$425.00
11/26/2019	AIJ	Review	Initial review of complaint	$475.00	1.0	$475.00
11/26/2019	AIJ	Meeting	Meeting w/ DAW to discuss lawsuit and strategy	$475.00	0.5	$237.50
11/26/2019	DW	Meeting	Meeting w/ AIJ to discuss lawsuit and strategy	$425.00	0.5	$212.50
11/26/2019	AIJ	Teleconference	Teleconference w/ Client, re: response to lawsuit	$475.00	0.5	$237.50
12/02/2019	DW	Research & Preparation	Research and prep for Motion to dismiss	$425.00	2.0	$850.00
12/02/2019	DW	Draft	1st Draft motion to dismiss	$425.00	1.0	$425.00
12/02/2019	DW	Teleconference	Teleconference w/ Client, re: draft motion to dismiss	$425.00	0.5	$212.50
12/02/2019	AIJ	Review	Reviewed 1st Draft MTDismiss	$475.00	0.3	$142.50
12/02/2019	AIJ	Teleconference	Teleconference w/ client, re: draft motion to dismiss	$475.00	0.5	$237.50
12/03/2019	AIJ	Meeting	Meeting w/ DAW, re: motion to dismiss	$475.00	0.2	$95.00
12/03/2019	DW	Meeting	Meeting w/ AIJ, re: MTDismiss	$425.00	0.2	$85.00
12/06/2019	DW	Draft	Completed final draft of motion to dismiss; filed with Court	$425.00	0.7	$297.50
12/06/2019	DW	Teleconference	Spoke w/ client, re: final draft of motion to dismiss	$425.00	0.5	$212.50
12/06/2019	DW	Teleconference	Spoke with Clerk's attorney, re: response	$425.00	0.5	$212.50
12/06/2019	AIJ	Review	Reviewed final draft MTDismiss	$475.00	0.2	$95.00

12/06/2019	AIJ	Review	Reviewed Clerk's MTDismiss	$475.00	0.2	$95.00
12/13/2019	DW	Review	Reviewed Clerk's Motion to Dismiss	$425.00	0.5	$212.50
01/16/2020	DW	Review	Reviewed Order Setting Hearing on Defendants' MTDismiss	$425.00	0.1	$42.50
01/16/2020	DW	Review	Reviewed motion for pro hac vice	$425.00	0.1	$42.50
01/17/2020	DW	Review	Reviewed Pl's Amended Complaint	$425.00	1.0	$425.00
01/17/2020	DW	Teleconference	Spoke with client, re: Amended Complaint	$425.00	0.5	$212.50
01/17/2020	DW	Review	Reviewed Pl's notice of filing	$425.00	0.1	$42.50
01/20/2020	AIJ	Review	Reviewed Pl's Am. Compl	$475.00	0.3	$142.50
01/21/2020	DW	Review	Reviewed Judge Marx's Order Cancelling MTDismiss Hearing	$425.00	0.1	$42.50
01/21/2020	DW	Review	Reviewed Pl's Objection to Defendants' MTDismiss	$425.00	0.2	$85.00
01/21/2020	DW	Teleconference	Spoke with client, re: Amended complaint	$425.00	0.5	$212.50
01/21/2020	AIJ	Meeting	Meeting w/ DAW, re: response to Am. Compl.	$475.00	0.2	$95.00
01/21/2020	DW	Meeting	Meeting w/ AIJ, re: response to Am. Compl.	$425.00	0.2	$85.00
01/22/2020	DW	Review	Reviewed Order granting pro hac vice admission	$425.00	0.1	$42.50
01/22/2020	DW	Research & Draft	Researched and drafted response to Amended Complaint	$425.00	1.0	$425.00
01/23/2020	DW	Teleconference	Spoke with Clerk's attorney, re: response to amended complaint	$425.00	0.2	$85.00
01/24/2020	DW	Various	Completed Answer/MTDismiss Amended Complaint; filed with Court; sent copy to Client	$425.00	1.0	$425.00
01/24/2020	DW	Draft	Drafted and filed Notice of Unavailability	$425.00	0.4	$170.00
01/24/2020	AIJ	Review	Reviewed final Answer/MTDismiss	$475.00	0.2	$95.00
01/27/2020	DW	Review	Reviewed Clerk's Answer/MTDismiss	$425.00	0.3	$127.50
02/03/2020	DW	Review	Reviewed Order setting hearing on Defs' MTDismiss	$425.00	0.1	$42.50
02/03/2020	DW	Teleconference	Spoke w/ client, re: order setting MTDismiss hearing for March 24, 2020	$425.00	0.5	$212.50
03/13/2020	DW	Review	Reviewed Pl's Opposition to Aronberg MTDismiss & Clerk's MTDismiss	$425.00	1.5	$637.50
03/13/2020	AIJ	Review	Reviewed Pl's Opposition to Aronberg MTDismiss & Clerk's MTDismiss	$475.00	0.7	$332.50
03/18/2020	DW	Teleconference	Reviewed email from Pl's counsel, re: motion to continue hearing	$425.00	0.1	$42.50
03/18/2020	DW	Review	Reviewed Pl's unopposed motion for continuance	$425.00	0.1	$42.50
03/18/2020	DW	E-mail	Emails w/ Clerk's counsel, re: Pl's request to continue hearing	$425.00	0.2	$85.00
03/19/2020	DW	E-mail	Reviewed email from Pl, re: agreed order & responded	$425.00	0.1	$42.50
03/20/2020	DW	Review	Reviewed Court's agreed order continuing hearing	$425.00	0.1	$42.50
04/21/2020	DW	Review	Reviewed order rescheduling hearing on Defs' MTDismiss	$425.00	0.1	$42.50
04/21/2020	DW	Teleconference	Spoke w/ client, re: order rescheduling MTDismiss hearing for June 3, 2020	$425.00	0.3	$127.50
04/21/2020	AIJ	Review	Reviewed Order rescheduling MTDismiss hearing	$475.00	0.1	$47.50
05/22/2020	DW	Review	Reviewed order setting Zoom hearing, re: MTDismiss	$425.00	0.1	$42.50

05/22/2020	DW	Teleconference	Spoke w/ client, re: hearing will be via Zoom	$425.00	0.2	$85.00
05/27/2020	DW	Review	Reviewed Clerk's filing: change of atty of record	$425.00	0.1	$42.50
05/27/2020	DW	Teleconference	Spoke with Clerk's new counsel, Nicole Fingerhut	$425.00	0.2	$85.00
05/28/2020	DW	E-mail	Reviewed Pl's email, re: cases and authorities for MTDismiss hearing; responded	$425.00	0.1	$42.50
05/29/2020	DW	Preparation	Began oral argument prep for 6/8 MTDismiss hearing	$425.00	1.0	$425.00
06/01/2020	DW	E-mail	Reviewed email from Judge Marx's JA and responded	$425.00	0.1	$42.50
06/02/2020	DW	Various	Reviewed Pl's 500+ page binder, re: MTDismiss & prepped for hearing	$425.00	3.0	$1,275.00
06/02/2020	DW	E-mail	Drafted and sent email to client, re: MTD hearing tomorrow	$425.00	0.1	$42.50
06/03/2020	DW	Attend Hearing	Prepped for and attended MTDismiss hearing via Zoom	$425.00	1.5	$637.50
06/03/2020	DW	Teleconference	Spoke w/ Client, re: debrief MTDismiss hearing	$425.00	0.5	$212.50
06/03/2020	DW	E-mail	Emailed courtesy copies of Aronberg's Answer and MTDismiss to Judge Marx	$425.00	0.1	$42.50
06/03/2020	DW	E-mail	Reviewed response from Client and replied	$425.00	0.1	$42.50
06/03/2020	AIJ	Attend Hearing	Attended MTDismiss hearing via Zoom	$475.00	1.0	$475.00
06/03/2020	AIJ	Review	Reviewed order granting MTDismiss w/ prejudice	$475.00	0.3	$142.50
06/08/2020	DW	Review	Reviewed Court's Order Granting Defendants MTDismiss Count II w/ Prejudice	$425.00	0.5	$212.50
06/08/2020	DW	Various	Shared order w/ Client and spoke w/, re: result and plan going forward, re: 57.105	$425.00	0.5	$212.50
06/08/2020	DW	Various	Researched § 57.105 Fla. Stat.; drafted 57.105 demand letter and proposed motion for attorneys' fees/sanctions; Served Pl's counsel with demand letter and proposed motion.	$425.00	2.0	$850.00
06/08/2020	AIJ	Meeting	Meeting w/ DAW, re: Order & 57.105	$475.00	0.3	$142.50
06/08/2020	DW	Meeting	Meeting w/ AIJ, re: Order & 57.105	$425.00	0.3	$127.50
06/08/2020	AIJ	Review	Reviewed 57.105 demand and proposed motion for sanction	$475.00	0.2	$95.00
06/10/2020	DW	Various	Reviewed notice of change of attorney, re: Clerk; called and spoke w/ new counsel Cynthia Guerra	$425.00	0.3	$127.50
06/23/2020	DW	Various	Reviewed Pl's letter refusing to voluntarily dismiss amended complaint despite 57.105 demand; called and spoke w/ client, re: Pl's refusal & next steps	$425.00	1.0	$425.00
06/23/2020	DW	E-mail	Sent client copy of Pl's letter refusing to dismiss complaint	$425.00	0.1	$42.50
06/23/2020	AIJ	Review	Reviewed Pl's letter refusing to dismiss Count I/Am. Compl.	$475.00	0.1	$47.50
07/01/2020	DW	Various	Spoke w/ client, re: filing of 57.105 motion for fees/sanctions; filed motion for attorneys' fees based on Pl's failure to voluntarily dismiss amended complaint count 1	$425.00	0.5	$212.50
07/02/2020	DW	E-mail	Email to client, re: affidavit and summary judgment	$425.00	0.1	$42.50
07/08/2020	DW	Teleconference	Discussed w/ Client drafting and filing Motion for Summary Judgment and MSJ evidence	$425.00	0.7	$297.50
07/08/2020	AIJ	Teleconference	Discussed w/ Client drafting and filing Motion for Summary Judgment and MSJ evidence	$475.00	0.7	$332.50

07/10/2020	DW	Draft	Created 1st draft of Aronberg Affidavit; shared w/ client	$425.00	1.0	$425.00
07/10/2020	AIJ	Various	Reviewed draft affidavit and discussed w/ DAW	$475.00	0.3	$142.50
07/10/2020	DW	Meeting	Discussed draft affidavit w/ AIJ	$425.00	0.2	$85.00
07/13/2020	DW	Review	Reviewed Pl's Request to Produce, re: Clerk	$425.00	0.1	$42.50
07/13/2020	DW	Teleconference	Spoke w/ Clerk's counsel, re: Request to Produce	$425.00	0.2	$85.00
07/27/2020	DW	Review	Reviewed Pl's Amended Request to Produce, re: Clerk	$425.00	0.1	$42.50
07/27/2020	DW	Teleconference	Spoke w/ Clerk's counsel, re: Amended Request to Produce	$425.00	0.1	$42.50
07/28/2020	DW	Draft	Revised Aronberg affidavit	$425.00	0.5	$212.50
07/29/2020	DW	Draft	Finalized Aronberg Affidavit and sent to client	$425.00	0.5	$212.50
07/29/2020	DW	Research & Preparation	Research and prep for Motion for Summary Judgment	$425.00	1.0	$425.00
07/30/2020	DW	Various	Received executed Aronberg Affidavit	$425.00	0.1	$42.50
07/30/2020	DW	Draft	Began drafting Motion for Summary Judgment	$425.00	2.0	$850.00
08/05/2020	DW	Draft	Continued drafting Motion for Summary Judgment	$425.00	1.0	$425.00
08/07/2020	DW	Review	Reviewed email from Plaintiff attempting to set hearing on 57.105 motion for fees/sanctions	$425.00	0.1	$42.50
08/10/2020	DW	E-mail	Sent responsive email to Pl's counsel	$425.00	0.1	$42.50
08/17/2020	DW	Meeting	Discussed draft MSJ w/ AIJ	$425.00	0.2	$85.00
08/17/2020	AIJ	Various	Reviewed draft MSJ and met w/ DAW to discuss	$475.00	0.5	$237.50
08/18/2020	DW	Draft	Finalized Motion for Summary Judgment; filed w/ court along with Aronberg affidavit	$425.00	2.0	$850.00
08/27/2020	DW	Teleconference	Spoke w/ Clerk's counsel, re: request to produce	$425.00	0.1	$42.50
09/01/2020	DW	Various	Reviewed Pl's email and accepted conference call invite for 9/2/20	$425.00	0.1	$42.50
09/02/2020	DW	Review	Reviewed Clerk's response to request for production	$425.00	0.2	$85.00
09/02/2020	DW	Teleconference	Spoke w/ Pl's counsel, re: dispute as to whether MSJ should be heard before 57.105 fee motion or vis versa - call was unsuccessful	$425.00	0.5	$212.50
09/02/2020	AIJ	Meeting	Discussed w/ DAW phone call w/ Pl's counsel	$475.00	0.2	$95.00
09/02/2020	DW	Meeting	Discussed w/ AIJ phone call w/ Pl's counsel	$425.00	0.2	$85.00
09/16/2020	DW	E-mail	Reviewed email from Pl's counsel requested Aronberg to withdraw sanctions motion w/o prejudice	$425.00	0.1	$42.50
09/17/2020	DW	Meeting	Discussed w/ AIJ filing motion for CMC	$425.00	0.1	$42.50
09/17/2020	AIJ	Meeting	Discussed w/ DAW filing motion for CMC	$475.00	0.1	$47.50
09/18/2020	DW	Various	Drafted and filed motion to set case management conference; re: MSJ 1st or Fee hearing 1st	$425.00	0.5	$212.50
09/18/2020	DW	E-mail	Responded to Pl's 9/16/20 email and refused to withdraw 57.105 motion; provided copy of motion to set CMC and available dates for hearing	$425.00	0.1	$42.50
09/18/2020	DW	E-mail	Reviewed Pl's email insisting that 57.105 motion be withdrawn	$425.00	0.1	$42.50
09/18/2020	DW	E-mail	Replied to Pl's counsel that the 57.105 motion for sanctions will not be withdrawn and asking for response, re: CMC	$425.00	0.1	$42.50

09/18/2020	DW	E-mail	Sent client copy of email exchange w/ Pl's counsel; called and spoke w/ Client	$425.00	0.5	$212.50
09/22/2020	DW	Various	Drafted and filed Notice of Hearing on 10/15/20; set up Court Call; spoke w/ client, re: hearing date	$425.00	0.7	$297.50
10/02/2020	DW	Review	Reviewed Pl's Memo of Law opposing Aronberg's 57.105 motion for fees/sanctions	$425.00	0.7	$297.50
10/02/2020	DW	Review	Reviewed Pl's Response to Aronberg's request to schedule 57.105 motion for fees after MSJ	$425.00	0.5	$212.50
10/02/2020	AIJ	Review	Reviewed Pl's Memo of Law opposing 57.105 motion	$475.00	0.5	$237.50
10/02/2020	AIJ	Review	Reviewed Pl's Response to Aronberg's request to schedule 57.105 motion after MSJ	$475.00	0.4	$190.00
10/12/2020	DW	Research	Research caselaw & statutes, re: response to Pl's Memo of Law	$425.00	1.0	$425.00
10/13/2020	DW	Research & Analyze	Continued researching caselaw, re: response to Pl's memo of law	$425.00	1.0	$425.00
10/13/2020	DW	Draft	Created 1st draft of Response to Pl's Memo of Law and shared w/ Client	$425.00	4.0	$1,700.00
10/13/2020	DW	Meeting	Discussed w/ AIJ caselaw and draft response to memo	$425.00	0.5	$212.50
10/13/2020	AIJ	Various	Reviewed draft MSJ, discussed draft w/ DAW and caselaw	$475.00	0.7	$332.50
10/14/2020	DW	Draft	Finalized and filed Response to Pl's Memo of Law	$425.00	1.0	$425.00
10/14/2020	DW	Telephone	Spoke w/ client, re: memo of law	$425.00	0.2	$85.00
10/14/2020	DW	Telephone	Spoke w/ client again, re: response to memo of law	$425.00	0.1	$42.50
10/15/2020	DW	Attend Hearing	Attended hearing, re: Motion to Set CMC; called client to discuss	$425.00	1.5	$637.50
10/15/2020	DW	Various	Reviewed email and letter from Pl, re: settlement. Sent copy to Client and called to discuss.	$425.00	0.5	$212.50
10/15/2020	DW	Telephone	Spoke w/ Pl's counsel, re: settlement	$425.00	0.1	$42.50
10/15/2020	DW	Telephone	Spoke w/ client, re: Pl's settlement proposal	$425.00	0.2	$85.00
10/15/2020	AIJ	Various	Attended hearing, re: motion to set CMC; discussed w/ client	$475.00	1.0	$475.00
10/15/2020	AIJ	Various	Discussed Pl's settlement proposal w/ DAW and then w/ Client	$475.00	0.4	$190.00
10/15/2020	DW	Meeting	Discussed Pl's settlement proposal w/ AIJ	$425.00	0.2	$85.00
10/16/2020	DW	Various	Drafted and shared proposed order w/ Pl's counsel	$425.00	0.5	$212.50
10/16/2020	DW	Telephone	Spoke w/ Pl's counsel, re: settlement	$425.00	0.2	$85.00
10/16/2020	DW	Telephone	Spoke w/ client, re: Pl's settlement proposal	$425.00	0.5	$212.50
10/16/2020	DW	Meeting	Discussed Pl's settlement proposal w/ AIJ	$425.00	0.2	$85.00
10/16/2020	AIJ	Meeting	Discussed Pl's settlement proposal w/ DAW	$475.00	0.2	$95.00
10/19/2020	DW	Various	Uploaded proposed order, re: CMC for Judge Hafele	$425.00	0.1	$42.50
10/19/2020	DW	Telephone	Spoke w/ client, re: Pl's settlement proposal	$425.00	0.2	$85.00
10/19/2020	DW	Telephone	Spoke w/ Pl's counsel, re: settlement	$425.00	0.1	$42.50
10/19/2020	AIJ	Meeting	Discussed Pl's settlement proposal w/ DAW	$475.00	0.2	$95.00
10/19/2020	DW	Meeting	Discussed Pl's settlement proposal w/ AIJ	$425.00	0.2	$85.00
10/20/2020	DW	Various	Reviewed email from Pl, re: settlement; sent copy to Client and called to discuss	$425.00	0.5	$212.50

10/20/2020	DW	Telephone	Spoke w/ client, re: settlement	$425.00	0.4	$170.00
10/20/2020	DW	Telephone	Spoke w/ Pl's counsel, re: settlement	$425.00	0.1	$42.50
10/20/2020	DW	Telephone	Spoke w/ client, re: settlement	$425.00	0.1	$42.50
10/20/2020	DW	Meeting	Discussed Pl's settlement proposal w/ AIJ	$425.00	0.2	$85.00
10/20/2020	AIJ	Meeting	Discussed Pl's settlement proposal w/ DAW	$475.00	0.2	$95.00
10/21/2020	DW	Various	Drafted and filed Motion to Set Hearing on Aronberg MSJ; drafted proposed order granting motion to set; checked court availability; emailed Pl's counsel, re: choose date for hearing	$425.00	1.0	$425.00
10/21/2020	DW	Review	Reviewed Order, re: CMC unnecessary	$425.00	0.1	$42.50
10/21/2020	DW	Telephone	Spoke w/ client, re: media response	$425.00	0.2	$85.00
10/21/2020	DW	Telephone	Spoke w/ client, re: media response	$425.00	0.1	$42.50
10/21/2020	DW	Telephone	Spoke w/ client, re: media response	$425.00	0.1	$42.50
10/21/2020	DW	Telephone	Spoke w/ client, re: media response	$425.00	0.1	$42.50
10/21/2020	DW	Telephone	Spoke w/ client, re: media response	$425.00	0.1	$42.50
10/21/2020	DW	E-mail	Sent email w/ Aronberg statement to media	$425.00	0.1	$42.50
10/21/2020	AIJ	Meeting	Discussed media response w/ DAW	$475.00	0.3	$142.50
10/21/2020	DW	Meeting	Discussed media response w/ AIJ	$425.00	0.3	$127.50
10/22/2020	DW	Various	Reviewed Pl's Notice of Dropping Aronberg as party; spoke w/ Client and AIJ, re: notice and next steps	$425.00	0.5	$212.50
10/22/2020	AIJ	Various	Reviewed Pl's Notice of Dropping Aronberg as party; spoke w/ Client and DAW, re: notice and next steps	$475.00	0.5	$237.50
11/05/2020	DW	Draft	Draft Amended Motion for Attorneys' Fees & Costs	$425.00	3.0	$1,275.00
11/06/2020	DW	Draft	Continue drafting Motion for Attorneys' Fees & Costs and Affidavit of Attorneys Fees and Affidaivt of Reasonable Attorneys' Fees, sent to expert for review	$425.00	2.0	$850.00
11/09/2020	DW	Various	Call w/ expert, re: affidavit; Call w/ Client, re: filings; filed Motion & Affidavits	$425.00	1.0	$425.00
12/03/2020	DW	Draft & File	Draft and File Notice for Non-Jury Trial; email to JA; emails w/ opposing counsel counsel to set meeting	$425.00	0.7	$297.50
12/09/2020	DW	Teleconference	TC w/ opposing counsel; meeting w/ AIJ afterwards	$425.00	1.0	$425.00
12/09/2020	AIJ	Meeting	AIJ - TC w/ opposing counsel; meeting w/ DAW afterwards	$475.00	1.0	$475.00
12/10/2020	DW	Draft & File	Draft and File Amended Notice for Non-Jury Trial	$425.00	0.5	$212.50
01/28/2021	DW	Various	Review Order Setting Hearing; emailed to client	$425.00	0.2	$85.00
03/25/2021	DW	Review	Review Notice of Change of Counsel	$425.00	0.1	$42.50
04/22/2021	DW	Review & Analyze	Review and analyze Pl's MSJ & Appendix	$425.00	1.0	$425.00
05/24/2021	DW	Review	Review Pl's Motion to Set Hearing	$425.00	0.1	$42.50
05/25/2021	DW	Review & Analyze	Review Notice of Appearance & Response to Pl's Motion to Set	$425.00	0.3	$127.50
06/11/2021	DW	Review	Reviewed Agreed Order	$425.00	0.1	$42.50
07/14/2021	DW	Preparation	Prep for hearing and trip to West Palm Beach	$425.00	2.0	$850.00
07/15/2021	DW	Travel	Travel to West Palm Beach	$425.00	5.5	$2,337.50
07/16/2021	DW	Attend Hearing	Prep for and attend hearing	$425.00	1.5	$637.50

07/16/2021	DW	Review & Analyze	Review and analyze PI's memo flaw; draft response outline	$425.00	1.5	$637.50
07/16/2021	DW	Teleconference	Call w/ Client, re: entitlement hearing week of 7/26	$425.00	0.3	$127.50
07/16/2021	DW	Teleconference	Call w/ AIJ, re: hearing week of 7/26	$425.00	0.1	$42.50
07/16/2021	DW	Teleconference	Call w/ DAW following hearing	$425.00	0.1	$42.50
07/17/2021	DW	Travel	Travel back to Amelia Island	$425.00	5.5	$2,337.50
07/19/2021	DW	Various	Research, review, and analyze PI's memo of law; motion for atty fees, begin drafting responsive memo	$425.00	2.5	$1,062.50
07/20/2021	DW	Draft	Draft memo of law in suppor of Amended Motion for Atty Fees	$425.00	4.0	$1,700.00
07/21/2021	DW	Draft	Complete 1st draft memo of law in support of amended motion for atty fees	$425.00	3.0	$1,275.00
07/21/2021	DW	Meeting	Meeting w/ AIJ, re: memo of law	$425.00	0.5	$212.50
07/21/2021	AIJ	Various	Review and analyze memo of law; meeting w/ DAW to discuss	$475.00	1.0	$475.00
07/23/2021	DW	Various	Complete and File Memo of Law; Meeting w/ AIJ to discuss; call to JA; call to Client; several emails w/ opposing counsel	$425.00	2.0	$850.00
07/23/2021	AIJ	Meeting	Meeting w/ DAW, re: Memo of Law	$475.00	0.5	$237.50
07/23/2021	DW	E-mail	Email exchange w/ opposing counsel, re: entitlement hearing	$425.00	0.2	$85.00
07/23/2021	DW	Teleconference	Call to Judge Hafale's JA, re: hearing date	$425.00	0.1	$42.50
07/26/2021	DW	Review & Analyze	Review Order Setting hearing for 7/27, review Notice of Appearance, review Order Resetting Hearing for 8/17/21	$425.00	0.5	$212.50
07/27/2021	DW	Various	Review email from Op. Counsel & phone call	$425.00	0.4	$170.00
07/28/2021	DW	Draft	Draft updated Memo of Law in support of Motion for Attorneys' fees	$425.00	2.0	$850.00
07/29/2021	DW	Draft & File	Complete drafting and file updated Memo of Law	$425.00	2.0	$850.00
07/30/2021	DW	E-mail	Responded to Op. Counsel's email	$425.00	0.1	$42.50
08/03/2021	DW	Teleconference	Call w/ Client, re: witnesses and plan for 8/17 hearing	$425.00	1.0	$425.00
08/04/2021	DW	Various	Several emails & call w/ opposing counsel & TC, re: motion to continue	$425.00	0.7	$297.50
08/04/2021	DW	Teleconference	Call w/ Client, ok to file joint motion to continue	$425.00	0.2	$85.00
08/05/2021	DW	Various	Emails w/ opposing counsel, re: Joint Motion to Continue; review motion to continue	$425.00	0.5	$212.50
08/09/2021	DW	Various	Review Order Granting Continuance and setting calendar call for 3/4/22; called client to discuss	$425.00	0.5	$212.50
08/09/2021	DW	Various	Call w/ Client, re: continuance until March 2022; meeting w/ AIJ	$425.00	0.7	$297.50
08/09/2021	AIJ	Meeting	Meeting w/ DAW, re: continuance	$475.00	0.5	$237.50
08/11/2021	DW	Draft & File	Draft Amended Memo of Law to comply w/ 10 page limit	$425.00	3.0	$1,275.00
08/12/2021	DW	Various	Complete draft of Amemded Memo of Law & filed; reviewed and responded to several emails w/ opposing counsel	$425.00	2.0	$850.00
09/09/2021	DW	E-mail	Reviewed and replied to op. counsel's email	$425.00	0.2	$85.00
09/10/2021	DW	E-mail	Reviewed and replied to op. counsel's email	$425.00	0.2	$85.00

09/13/2021	DW	E-mail	Accept calendar invite for 9/14 teleconference	$425.00	0.1	$42.50
09/14/2021	DW	Various	TC w/ opposing counsel, re: multiplier & case law; meeting w/ AIJ afterwards	$425.00	1.0	$425.00
09/14/2021	AIJ	Various	TC w/ opposing counsel, re: multiplier & case law; meeting w/ DAW afterwards	$475.00	1.0	$475.00
09/15/2021	DW	Review & Analyze	Review emails and case law from opposing counsel	$425.00	0.7	$297.50
10/01/2021	DW	Review & Analyze	Review Clerk's response to MSJ	$425.00	0.5	$212.50
10/05/2021	DW	Review & Analyze	Review Order, re: MSJ hearing on 10/22/21	$425.00	0.1	$42.50
10/05/2021	DW	Review & Analyze	Review Pl's Reply in support of MSJ	$425.00	0.5	$212.50
11/02/2021	DW	E-mail	Reviewed several emails b/w opposing counsel	$425.00	0.2	$85.00
11/05/2021	DW	E-mail	Reviewed several emails b/w opposing counsel	$425.00	0.2	$85.00
12/20/2021	DW	Various	Review & Analyze Final Judgment in favor of Clerk; meeting w/ AIJ, call client to discuss	$425.00	1.5	$637.50
12/20/2021	AIJ	Meeting	Meeting w/ DAW, re: MSJ Order	$475.00	0.5	$237.50
12/21/2021	DW	E-mail	Review email from Op. Counsel	$425.00	0.1	$42.50
01/04/2022	DW	Review	Review Clerk's Motion to Amend Final Judgment	$425.00	0.1	$42.50
01/04/2022	DW	Review	Reviewed Clerk's Notice of Appearance	$425.00	0.1	$42.50
01/12/2022	DW	E-mail	Reviewed and replied to email from Op. Counsel	$425.00	0.2	$85.00
01/19/2022	DW	Review & Analyze	Reviewed and replied to email from Op. Counsel	$425.00	0.5	$212.50
01/26/2022	DW	Review	Review Notice of Withdrawing Motion to Amend FJ	$425.00	0.1	$42.50
01/26/2022	DW	E-mail	Emailed Clerk's Motion for Sanctions to Client	$425.00	0.1	$42.50
01/27/2022	DW	Review	Review Pl's Notice of Appeal	$425.00	0.1	$42.50
01/28/2022	DW	Review	Reviewed 4DCA Order, re: abeyance	$425.00	0.1	$42.50
02/24/2022	DW	Various	Review and analyze Pl's Respone in Opposition to Aronberg Memo of Law & Motion for Atty Fees; meeting w/ AIJ to discuss	$425.00	1.5	$637.50
02/24/2022	AIJ	Meeting	Meeting w/ DAW, re: Pl's memo	$475.00	0.5	$237.50
03/01/2022	DW	Various	Review and reply to email from op. counsel, re: availability from 3/14 - 5/20; call w/ client; call w/ expert	$425.00	1.0	$425.00
03/02/2022	DW	Teleconference	Call w/ Client, re: upcoming hearing on 3/4	$425.00	0.5	$212.50
03/02/2022	DW	Meeting	Meeting w/ AIJ, re: hearing in Palm Beach	$425.00	0.5	$212.50
03/02/2022	AIJ	Meeting	Meeting w/ DAW, re: hearing in Palm Beach	$475.00	0.5	$237.50
03/03/2022	DW	E-mail	Reviewed and replied to email from opposing counsel	$425.00	0.2	$85.00
03/03/2022	DW	Travel	Travel to West Palm Beach	$425.00	8.0	$3,400.00
03/04/2022	DW	Various	Attend hearing, meet w/ opposing counsel, call to Client, re: hearing date 4/26 and set follow-up call w/ Client	$425.00	2.5	$1,062.50
03/04/2022	DW	Travel	Travel back to Amelia Island	$425.00	5.5	$2,337.50
03/08/2022	DW	Various	Call w/ Client, re: upcoming hearing, experts, plan; Meeting w/ AIJ	$425.00	1.0	$425.00
03/08/2022	AIJ	Meeting	Meeting w/ DAW, re: trip to Palm Beach	$475.00	0.5	$237.50
03/10/2022	DW	E-mail	Reviewed and replied to email form Clerk's counsel	$425.00	0.2	$85.00

03/25/2022	DW	Teleconference	Call to expert witness, re: fees, updated affidavits, hearing date	$425.00	0.2	$85.00
03/30/2022	DW	Review	Review Motion to Withdraw	$425.00	0.1	$42.50
04/07/2022	DW	Review	Review email from Op. Counsel	$425.00	0.1	$42.50
				Totals:	**161.1**	**$69,417.50**

Expenses

Date	EE	Activity	Description	Cost	Quantity	Line Total
07/15/2021	DW	Expense	Gas	$42.02	1.0	$42.02
07/16/2021	DW	Expense	The Ben West Palm Beach, re: 7/16/21 hearing	$557.46	1.0	$557.46
07/17/2021	DW	Expense	Gas	$59.12	1.0	$59.12
03/03/2022	DW	Expense	Gas	$70.41	1.0	$70.41
03/04/2022	DW	Expense	Hyatt Place West Palm Beach/Downtown, re: 3/4 hearing	$659.92	1.0	$659.92
03/04/2022	DW	Expense	Uber to Courthouse	$6.51	1.0	$6.51
03/04/2022	DW	Expense	Gas	$87.33	1.0	$87.33
					Expense Total:	**$1,482.77**

Time Entry Sub-Total:	$69,417.50
Expense Sub-Total:	$1,482.77
Sub-Total:	$70,900.27
Total:	$70,900.27
Amount Paid:	$0.00
Balance Due:	**$70,900.27**