

**From:** Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>


**To:** [Diamond, Stella](#)

**CC:**

**Date:** 10/15/2010 9:53:14 AM

**Subject:** ?RE: abatements

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We do not want to abate. They can always dismiss the case but we don't want to abate. Keep them on a DS because they cannot cancel our DS. I know that Judge Starnes has given some 60 days continuances to review the affidavits. I believe that when these come back in December they need to be resolved by Summary Judgment or set for a trial. The banks are cancelling a lot of Summary Judgment hearings set on our high volume Friday dockets and they can do this since it is their motion. Happy to talk further if it would be helpful. My backline is . How was your trip? Welcome back!

---

**From:** Diamond, Stella

**Sent:** Friday, October 15, 2010 10:34 AM

**To:** Carlin, John S.

**Subject:** abatements

How should we handle motions for abatement in these foreclosure cases? If the attorneys are told not to proceed with the case by their client, should I be recommending abatement or dismissal? (I'm referring to the cases where they are reviewing the affidavits). Thanks.

**From:** Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>

**To:** Gerald, Lynn

Rosman, Jay

Winesett, Sherra

Fuller, Joseph

McHugh, Michael

Richards, George

**CC:** Golden, Diana

Trammell, Cindy

Hamsharie, Deborah

Thompson, Lucinda

Poulston, Lisa

Davis, Dana

Johnston, Linda

**Date:** 10/23/2009 1:30:10 PM

**Subject:** Change in Foreclosure Contested Hearings

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Colleagues-

Effective immediately, Dana Davis will be scheduling all contested motions for residential mortgage foreclosure cases. You can direct people to call Dana at 533-2705 if your office is contacted regarding a contested residential mortgage foreclosure hearing. LJ will continue to schedule all high volume summary judgment hearings.

All Notices for Trial should remain with the assigned Civil Judge to handle as they deem appropriate. I assume that most of these cases will be referred to mediation prior to being placed on the trial calendar. Judge Richards will not handle any residential mortgage foreclosure trials. I have requested that Dana return any Notices for Trial that have been forwarded to her from any of the civil offices.

Judge Richards has just completed his first week in Lee County handling residential foreclosure hearings. I appreciate all of the support that the Civil Judges and Judicial Assistants have provided to Judge Richards and Dana in their new assignment. They are both doing a fantastic job with these residential mortgage foreclosure cases.

Enjoy your week-end!

John

**From:** Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>

**To:** Richards, George

**CC:** Davis, Dana

McHugh, Michael

Atkins, Joanne

Kellum, Susan G

Cary, G. Keith

Johnston, Linda

**Date:** 10/28/2009 9:43:44 AM

**Subject:** Ex Parte Motion to Reset Residential Foreclosure Sale

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George-

I wanted to let you know that Joanne brought to Dana this morning some orders on Ex Parte Motions to Reset Residential Foreclosure Sales. Since these are residential foreclosure cases, it is your responsibility to sign these Orders. After Dana conforms these Orders, she can deliver them to the Clerk's office and they will set the new sale date and mail out the conformed copies. It is not the Clerk's responsibility to process these Orders until you have signed them. The Orders that Joanne delivered to Dana this morning were Orders that Dana had brought to the Clerk's office prior to you signing them. Dana indicated to Joanne that Judge McHugh told her that she did not have to be involved with these Orders and that she was going to return them to the Clerk's office. I am copying Judge McHugh with this email but it is Dana's job to conform these Orders after you have signed them. I understand that Dana has a lot of work to do conforming and she may want to request some assistance from other colleagues who would be willing to assist her. I know that Dana was always willing to assist Judicial Assistants with conforming when she was in her prior position and had some additional time. Please let me know if you have any questions. Thanks, George.

John

From: [Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>](mailto:Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>)

To: [Cary, G. Keith](mailto:Cary, G. Keith)

CC: [McHugh, Michael](mailto:McHugh, Michael)

Date: 10/4/2010 2:26:32 PM

Subject: RE: Question

---

I spoke with Nancy Aloia and she agreed to contact Susan Galbraith. Attorneys representing Homeowner Associations have been filing ex parte motions to be excused from DS and the judges have been granting them. Mike, do you see any problem with them not attending if they so choose?

From: Cary, G. Keith

Sent: Friday, October 01, 2010 2:58 PM

To: Carlin, John S.

Subject: FW: Question

help

G. Keith Cary

**Fla. R. Court 2.420**

From: [soozg@ggdrs.com](mailto:soozg@ggdrs.com) [mailto:[soozg@ggdrs.com](mailto:soozg@ggdrs.com)]

Sent: Friday, September 24, 2010 5:21 PM

To: Cary, G. Keith

Subject: RE: Question

Okay, here is the question:

On docket soundings for mortgage foreclosures, where our client is a defendant (homeowners associations or condo associations) where the debtor is current with their assessments to our client, our clients are not wanting us to attend the docket soundings or any other activity in a mortgage foreclosure action and run up attorney fees. Attorneys are faced with the delimma of being under a court order for their appearance at the docket sounding and do not want to be in contempt or *look bad in the court's eyes* for ignoring a required attendance.

Can you please give me some insight on how we should handle this?

Hopefully I explained this well enough...if not, call me when you get a free minute. Thank you.

Susan M. Galbraith

12239 Championship Circle

Fort Myers, FL 33913

Phone: 239-851-4777

Email: [soozg@ggdrs.com](mailto:soozg@ggdrs.com)

----- Original Message -----

Subject: RE: Question

From: "Cary, G. Keith" <**Fla. R. Court 2.420**>

Date: Fri, September 24, 2010 4:10 pm

To: "[soozg@ggdrs.com](mailto:soozg@ggdrs.com)" <[soozg@ggdrs.com](mailto:soozg@ggdrs.com)>

Susan

Fire away, i am always open to questions. However, i have left the office for today and will be gone out of town until next Thursday, so will not be able to get back with you until end of next week.

gkc

---

From: [soozg@ggdrs.com](mailto:soozg@ggdrs.com) [[soozg@ggdrs.com](mailto:soozg@ggdrs.com)]

Sent: Friday, September 24, 2010 3:03 PM

To: Cary, G. Keith

Subject: Question

Keith, I wonder if I can ask a question of you regarding the massive docket soundings. It does not have to do with any particular case, but merely a general procedure question regarding attendance of attorneys in certain circumstances. I am being vague with my email only because I wanted to ask you if it was appropriate for me to ask a question of you. Just let me know, please.

Susan M. Galbraith  
12239 Championship Circle  
Fort Myers, FL 33913  
Phone: 239-851-4777  
Email: [soozg@ggdrs.com](mailto:soozg@ggdrs.com)

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[www.symantec.com](http://www.symantec.com)

20TH CIR 04324

11\_30\_2010

From: [Cary, G. Keith </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=GKC2460>](mailto:Cary.G.Keith@SAO20.OU=CACJIS/CN=RECIPIENTS/CN=GKC2460)

To: [Carlin, John S.](mailto:Carlin,John.S)

CC: [McHugh, Michael](mailto:McHugh,Michael)

Date: 10/4/2010 2:29:52 PM

Subject: RE: Question

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Thanks, I spoke to Mike on Friday and he has no problem.

G. Keith Cary

Fla. R. Court 2.420 (case specific)  
Fla. R. Court 2.420 (case specific)  
Fla. R. Court 2.420 (case specific)

From: Carlin, John S.

Sent: Monday, October 04, 2010 3:27 PM

To: Cary, G. Keith

Cc: McHugh, Michael

Subject: RE: Question

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Mike, do you see any problem with them not attending if they so choose?

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Sent: Friday, October 01, 2010 2:58 PM

To: Carlin, John S.

Subject: FW: Question

help

G. Keith Cary

239-Fla. R. Court 2.420  
Fla. R. Court 2.420

From: [soozg@ggdrs.com](mailto:soozg@ggdrs.com) [mailto:[soozg@ggdrs.com](mailto:soozg@ggdrs.com)]

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To: Cary, G. Keith

Subject: RE: Question

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Can you please give me some insight on how we should handle this?

Hopefully I explained this well enough...if not, call me when you get a free minute. Thank you.

Susan M. Galbraith

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Phone: 239-851-4777

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To: "[soozg@ggdrs.com](mailto:soozg@ggdrs.com)" <[soozg@ggdrs.com](mailto:soozg@ggdrs.com)>

Susan

Fire away, i am always open to questions. However, i have left the office for today and will be gone out of town until next Thursday, so will not be able to get back with you until end of next week.

gkc

2011 CIR 04325

From: [soozg@ggdrs.com](mailto:soozg@ggdrs.com) [[soozg@ggdrs.com](mailto:soozg@ggdrs.com)]Page 2

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Susan M. Galbraith

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**From:** Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>

**To:** McHugh, Michael

**CC:**

**Date:** 10/6/2009 3:47:02 PM

**Subject:** ?FW: Rough Outline- Civil Case Management

---

fyi.....

-----Original Message-----

From: Callanan, Richard

Sent: Tuesday, September 15, 2009 8:37 AM

To: Carlin, John S.

Subject: Rough Outline- Civil Case Management

Judge

This is a draft outline of some ideas on a proposal for civil. It lays out some general options/talking points for discussion with Judge McHugh/Judges on ways to start a case management program and to best use Case Manager/Magistrate. Still planning on staff starting in December 2009, but they would probably need some time to set up the procedures. Nancy and I are still working on this, but I wanted to get your thoughts before we move much further...

These are just talking points. Let me know when you might have a chance to discuss. Thanks.

Rick



**From:** Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>

**To:** McHugh, Michael

**CC:**

**Date:** 10/9/2009 9:20:20 AM

**Subject:** ?RE: Foreclosure scheduling

---

Thanks, Mike, for your assistance with this matter. I copied you on my email to Dana to keep you in the loop. Enjoy your week-end.....will Tebow play?

---

**From:** McHugh, Michael

**Sent:** Wednesday, October 07, 2009 3:42 PM

**To:** Carlin, John S.

**Subject:** Foreclosure scheduling

I just spoke with Lisa and Dana and after discussions with them this is the way I think we should go forward with scheduling.

Dana will begin scheduling all of Judge Richards' hearings, except for Summary Judgments, beginning immediately. She would be called directly for scheduling these hearings. I don't think this will create too much confusion for the plaintiff's firms. Prior to Judge Richards' taking over foreclosures the firms emailed LJ for the Summary Judgment hearings and called the individual JAs for all other hearings. This system seemed to work well. The new system would allow them to call Dana for all non-SJ hearings instead of the individual JAs. This would cut out the extra step, and delay associated with it, of LJ having to sort through the emails and determine the nature of the hearing and then forwarded the email to Dana. Dana has her Lee County phone set up to forward to Charlotte County when she is in Charlotte County.

As far as the Notice for Trial issue. I found out that currently the clerk's office is the one who is forwarding the Notice of Trial to Mediation when they receive the Notice. This alleviates the necessity of either Dana or the JAs checking to see if the case has been mediated or not and then sending it to Bruce Waddell's office based on the results of their inquiry. I don't think it makes sense to give these cases a trial date until we get a notice from the mediator's office that the case has impassed. Once the case has impassed the case will go back to the Judge that it was assigned to. I doubt that many of these will actually go to trial, but if they do and Judge Richards' schedule permits him to try them and he is so inclined he can always take the trials. As a procedure I would recommend they go back to the original Judge however.

I think this outlines my recommendations on the topics we discussed today. If you have any other questions feel free to contact me.

Mike.

**From:** Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>

**To:** Sauls, Sandi

**CC:**

**Date:** 3/5/2010 10:28:32 AM

**Subject:** ?RE: Online sale auctions

---

Thanks, Sandi, for the update.

---

**From:** Sandi Sauls [mailto:ssauls@leeclerk.org]

**Sent:** Friday, March 05, 2010 10:06 AM

**To:** Cary, G. Keith; Carlin, John S.

**Subject:** Online sale auctions

It's finally happening. Effective today, we will insert the online sale location on all new foreclosure judgments. The first actual online sale will be April 5<sup>th</sup>. We will continue to have "courthouse" sales for those cases already set on the calendar (through June 15<sup>th</sup>). Courthouse sales will only be on Tuesdays, while the online sales will be set for Mondays, Wednesdays, Thursdays and Fridays. Please let me know if any issues arise as a result. As one bidder said today, "There goes the corruption!" Hope so!

P.S. I sent notification to all civil judges.

Thank you,

Sandi C. Sauls

Civil Division Manager

P.O. Box 310

Fort Myers, FL 33902

239-533-9188

Florida has a very broad Public Records Law. Most written communications to or from State and Local Officials regarding State or Local business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

**From:** Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>

**To:** Cambareri, Kimberly

**CC:**

**Date:** 4/5/2010 9:10:40 PM

**Subject:** ?RE: Foreclosure Stats

---

Yes, please. If you could send an amended calendar for the next six weeks, that would be great. Thank you.

---

**From:** Cambareri, Kimberly

**Sent:** Monday, April 05, 2010 2:48 PM

**To:** Carlin, John S.

**Subject:** RE: Foreclosure Stats

Yes sir. Do you want all of hers for the same six weeks?

---

**From:** Carlin, John S. <Fla. R. Court 2.420 >

**Sent:** Monday, April 05, 2010 1:54 PM

**To:** Cambareri, Kimberly <KCambareri@CA.CJIS20.ORG>

**Subject:** RE: Foreclosure Stats

Thanks for the explanation. When you send me information for the 6 week picture, can you give me all of Judge Schreiber's cases that are scheduled each day?

---

**From:** Cambareri, Kimberly

**Sent:** Monday, April 05, 2010 1:02 PM

**To:** Carlin, John S.

**Subject:** RE: Foreclosure Stats

Judge Carlin,

The foreclosure docket I send out on Monday is just foreclosure hearings only. Her information is all of her hearings, not just foreclosures. Attached to this email is the type of motions (all) of them that she is referring to.

Kimberly Cambareri

Computer Programmer/Analyst

(239) 533-9103 work

(239) 357-4506 mobile

<mailto:kcambareri@ca.cjis20.org>

---

**From:** Carlin, John S.

**Sent:** Monday, April 05, 2010 12:51 PM

**To:** Cambareri, Kimberly

**Subject:** FW: Foreclosure Stats

**Importance:** High

Kim-

Can you read the below emails and let me know if the numbers that you sent to me were inaccurate? Thanks.

---

**From:** Schreiber, Lee Ann

**Sent:** Monday, April 05, 2010 11:39 AM

**To:** Carlin, John S.

**Cc:** Conderman, Ellen; McHugh, Michael; Johnston, Linda; Cary, G. Keith

20TH CIR 04330

**Subject:** RE: Foreclosure Stats  
**Importance:** High

Good morning all,  
 I am at a loss to understand where these numbers were pulled from

My JACs calendar shows the following

(Mon) 04/19/10	68 hearings are set
(Tues) 04/20/10	72 hearings are set
(Wed) 04/21/10	209 hearings are set (this is the mass docket)
(Thur) 04/22/10	67 hearings are set
(Fri) 04/23/10	14 hearings are set (these are extended hearings of 30 mins each)
(Mon) 04/26/10	68 hearings are set
(Tues) 04/27/10	67 hearings are set
(Wed) 04/28/10	58 hearings are set - this is the mass docket that LJ schedules. Pursuant to my discussion with LJ and Ellen last Monday, we will trying to fill the remaining slots with other than SJ motions due to the time periods for filing same
(Thurs) 04/29/10	40 hearings are set
(Fri) 04/30/09	this is my ONE office day per month
(Mon) 05/17/10	65 hearings are set
Tues) 05/18/10	56 hearings are set
Wed) 05/19/10	146 hearings are set
(Thurs) 05/20/10	51 hearings are set
(Fri) 05/21/10	18 hearings are set (these are extended 30" hearings)

When we met ion 02/24/10 to talk about the foreclosure docket, we discussed setting 25 cases at EACH of the following intervals: 9:00, 10:30, 1:30 and 3:00 for a total of 100 hearings. We contacted Kim C. to set this up and were told she needed a "start" date (where there was nothing scheduled) in order to change the time template in JACs. Wed, Sept 1<sup>st</sup> was the first date that nothing was scheduled so that date was selected as the "start date" for the revised template.

For September forward we can expect 100 slots for hearings on Mondays, Tuesdays and Thursdays; Wednesday is the mass docket & Fridays are extended hearings

I will be attending AJS the end of May ( A lee County week).

I am taking a vacation June 21 to 28 (Also a Lee County week)which was scheduled before I got the appointment)

I am attending FL Conference of Circuit Judges July 26,27,28 – also a Lee County week

The Dependency Summit is Aug 24 to 26 (3 Lee County days = travel)and I have a dependency docket in Charlotte County, so I plan to attend

Please keep in mind we are only in Lee County 10 days $\pm$ per month which means we may need to set farther out than we might otherwise prefer. We are working to close some gaps since this was brought to my attention last Monday.

I have to have a root canal this afternoon, so I hope your afternoon is more pleasant than mine!

Lee

P.S. I saw the subsequent email re "the numbers may not be accurate", but the first email was disturbing enough that I looked into it right away.

---

**From:** Carlin, John S.  
**Sent:** Monday, April 05, 2010 10:57 AM  
**To:** Schreiber, Lee Ann  
**Cc:** Conderman, Ellen; McHugh, Michael; Johnston, Linda; Cary, G. Keith  
**Subject:** FW: Foreclosure Stats

I am forwarding to you the scheduled hearings for the next 6 weeks for foreclosures. As you can see, a few set on

2011 CIR 04381

the dates in April and May. I met with LJ this a.m. and requested that she contact the large foreclosure firms and try to fill these available dates i.e. we only have 4 hearings set for April 19 and 2 hearings set for April 20 and there are many other examples as you read the attachment. I would appreciate Ellen trying to fill these dates in April and May as we implement our new policy of not scheduling anything more than 60 days out from the request for hearing time. If anybody has any questions, please feel free to contact me at [REDACTED]. I appreciate your assistance in trying to get this schedule under control.

John

---

**From:** Cambareri, Kimberly  
**Sent:** Sunday, April 04, 2010 7:50 PM  
**To:** Aloia, Nancy K; Carlin, John S.  
**Subject:** Foreclosure Stats

Hello,

Here are the six week foreclosure stats from April 5, 2010 to May 12, 2010.  
Have a good week.

Kimberly Cambareri  
Computer Programmer/Analyst  
20th Judicial Circuit Courts  
(239) 533-9103 work  
(239) 357-4506 mobile  
<mailto:kcambareri@ca.cjis20.org>

**From:** McHugh, Michael </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=MMCHUGH>

**To:** Carlin, John S.

**CC:**

**Date:** 5/19/2010 1:36:00 PM

**Subject:** ?RE: Civil ideas

---

They might be a candidate for the trials of the foreclosure cases that we set. They might also be able to help out on some of the contested foreclosure summary Judgment cases. We might be able to pick up the pace on the case management conferences for the older civil cases as well.

---

**From:** Carlin, John S.

**Sent:** Wednesday, May 19, 2010 2:32 PM

**To:** McHugh, Michael

**Subject:** FW: Civil ideas

We did not discuss the cases for the 1.5 Magistrates beginning July 1. They have to be involved in back-log reduction. Any ideas?

---

**From:** Carlin, John S.

**Sent:** Wednesday, May 19, 2010 1:16 PM

**To:** McHugh, Michael

**Subject:** Civil ideas

Here are some thoughts for our meeting tomorrow:

Foreclosure docket with Senior Judges

1. Block schedule all hearings with 75 hearings beginning at 8:30 a.m. and 100 hearings in the p.m. beginning at 1:00 p.m.
2. Set all future hearings for 8:30 and 1:00
3. See if civil judges would agree to handle Motions to Substitute Party without setting for hearing
4. In July, Judge Schreiber would handle the foreclosure docket for the last time. We would set contested summary judgment hearings ( we have a request for 600 from Default Group) and trial calls with Senior Judges in July for cases in 2007 and set some trial time for possible trials in July.
5. Senior Judges would handle all foreclosure hearings beginning Aug. 1. We need to decide how many days to allocate for uncontested hearings, contested summary judgment hearings, high volume summary judgment, trial calls and trials. We have 180 total days beginning July 1. Could set fewer than 15 in early months and more in later months if necessary.
6. See if Sharon English has time to case manage foreclosure cases from 2006 and older and serve as a feeder for court dates.

Judge Schreiber civil docket in Lee beginning Aug. 1

1. Reassign cases 2006 and older that are not foreclosure cases to Lee which is approximately 550 cases.
2. Need to have Lee's availability from Aug. 1 through June 30 to set court dates. She is assigned to Lee the third and fourth weeks of the month beginning with the third Monday. Some months have more than 10 days.
3. Have Sharon case manage these cases and serve as a feeder for court dates that would include hearing dates and trial dates. Set parameters with Lee's approval regarding the scheduling of hearings and trials.
4. Need to decide how many days to use for hearings v. trials during her Lee weeks.

Mike, please feel free to add or delete any items and email back to me, if possible, prior to our meeting at 9:30. Thanks!

**20TH CIR 04333**

11\_30\_2010

## Starnes, Hugh E

---

**From:** Carlin, John S.  
**Sent:** Friday, May 21, 2010 2:30 PM  
**To:** Rose, Penelope  
**Cc:** Johnston, Linda; Kellum, Ken; McHugh, Michael; Aloia, Nancy K; Starnes, Hugh E; Thompson, James  
**Subject:** Contested Foreclosure hearings in July

Penelope-

Please book Judge Thompson for July 19, 20, 26, 27 for contested foreclosure hearings.

Please book Judge Starnes for July 21, 22, 23, 29 and 30 for contested foreclosure hearings.

Please confirm with me that Judge Starnes and Thompson are available on all of these July dates.

LJ- We can book 40 contested hearings for the morning session beginning at 8:30 a.m. and 40 contested hearings for the afternoon session beginning at 1:00 p.m. Can you let FL Default group know of these dates today since there is a timeline for summary judgment hearings. Do you also want to contact other firms regarding this time availability for contest foreclosure hearings in July? We really need to book 80 hearings each day to make this work.

Ken- Please respond to all with the 5<sup>th</sup> floor courtroom for these hearings so LJ can get the word out today as she is out of the office next week.

Please let me know if anybody has any questions. Thank you.

**From:** Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>

**To:** Kyle, Keith

Cary, G. Keith

**CC:**

**Date:** 6/16/2010 2:47:26 PM

**Subject:** ?RE: Proposed Trial Order/Thoughts?

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I will give you a call.

---

**From:** Kyle, Keith

**Sent:** Wednesday, June 16, 2010 3:45 PM

**To:** Carlin, John S.; Cary, G. Keith

**Subject:** Proposed Trial Order/Thoughts?

John and Keith, we have amended the order that you all are going to be using in Lee (setting docket sounding) in foreclosure cases, effectively setting a trial date along with the usual disclosure stuff. Rather than spend time doing docket sounding, we figured why not save that time and use for trials/SJ hearings instead? Do you see any problem with just taking the old cases at issue and setting them for trial 60 days (give or take) down the line without a sounding? Please take a look, let me know what you think. We are hoping to start with a smaller test of this at the end of August (meaning we are going to try and get some version of this order out by the end of this month) and then go full speed ahead in Sept. – at least that’s what I’d like to do subject to our staff limits.

Thanks. - Keith

(PS – Thanks to Nancy Aloia for sending us your original order.)

*Keith R. Kyle*

*Circuit Court Judge of the Twentieth Judicial Circuit*

*Charlotte County Justice Center*

*350 East Marion Avenue*

*Punta Gorda, FL 33950*

*(941) 637-2186*



**From:** Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>

**To:** Aloia, Nancy K

**CC:** McHugh, Michael

**Date:** 6/17/2010 1:43:12 PM

**Subject:** ?RE: JACS

---

I am ok with attorneys or pro se litigants having viewing rights and NOT scheduling rights for the JACS calendar to facilitate coordinating times prior to speaking with the Clerk if Judge McHugh concurs. I am only authorizing this for these special foreclosure dockets and not any other JACS schedules.

One idea is to just go ahead and block schedule all hearings including the 30 minute hearings as this might be the most efficient way to move our cases. I can't imagine very many lengthy residential foreclosure hearings. Another option would be to identify one day a month for hearings that are 30 minutes or longer but I would recommend block scheduling these hearings for 8:30 or 1:00 time slots with 4 hours of hearings per session but my big worry is hearings cancelling and us not getting a very big bang for our buck. I am interested in hearing Judge McHugh's thoughts.

I had Kim send to me the cases set for foreclosures in July and there are very few docket soundings compared to the times available. Have we updated all of the cases into JACS that have been scheduled?

Nancy, can you respond to my two questions from yesterday's email? I also forwarded it to you this afternoon if it was deleted. Thank you.

---

**From:** Aloia, Nancy K

**Sent:** Thursday, June 17, 2010 2:25 PM

**To:** Carlin, John S.; McHugh, Michael

**Subject:** JACS

Hello

Sandi and I have agreed to the following plan for scheduling foreclosure cases:

- 1) Case scheduling will continue as is with the clerk using the established procedures already in place
- 2) Court Admin will schedule cases in JACS for any cases that we set for DS/Trial, MSJ or Status Review before Mag, etc.. (Basically anything that requires us to notice).

If consideration is being given to use the Senior Judges for hearings that are 30 minutes or longer, I would recommend that we open the JACS calendar for viewing rights (not scheduling rights) so that the attorneys may coordinate a time before contacting the clerk. The clerk has agreed to schedule these in JACS if they are not required to coordinate the hearing dates. Please let me know what you think about the use of Snr Judges for hearing dockets of this nature and whether we can open for viewing rights only. If the Senior Judge are used perhaps we can set a docket 1 day a month.

Thank you –Nancy

**From:** Aloia, Nancy K </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=NKW2884>

**To:** Carlin, John S.

**CC:**

**Date:** 6/2/2010 4:33:16 PM

**Subject:** ?FW: mortgage form ; ideas for foreclosure cases

---

Wrote it to you but left you off of the email. Nice!

---

**From:** Aloia, Nancy K

**Sent:** Wednesday, June 02, 2010 5:33 PM

**To:** McHugh, Michael

**Subject:** FW: mortgage form ; ideas for foreclosure cases

Judge McHugh and Judge Carlin

I am recreating the attached from with the drop down boxes for the circuit (all counties). My understanding is that there have been some emails locally with the Civil Judges (with copy to Sharon) indicating they would be open to consider a Uniform Foreclosure form for use. The attached form is now in use by the 12<sup>th</sup> circuit. It is the standard from 1.996 adopted by the Florida Supreme Court.

In light of the new foreclosure plan being released 7/1, I would recommend developing this for Lee and possibly circuit-wide to help expedite our backlog. The benefit is that it will be quicker and easier for the Senior Judges when reviewing the foreclosure cases. Please let me know your thoughts and whether you would like additional language included based upon the feedback you have received from the civil judges.

Thank you

---

**From:** Kyle, Keith

**Sent:** Friday, May 07, 2010 3:56 PM

**To:** Cary, G. Keith

**Cc:** Embury, Jon; Callanan, Richard

**Subject:** FW: mortgage form ; ideas for foreclosure cases

Judge Cary, has Lee Co. developed (or considering) a standard Foreclosure Final Judgment similar to the 12<sup>th</sup> (attached)? Perhaps we can have one circuit-wide for the 20th? If so, I'd suggest that the "interest" entry have a specific recitation of something like: \_\_\_(#)\_\_\_ days X \_\_\_\_\_ interest rate = accrued interest through date of judgment. We don't have the clerk checking the math up here like in Lee Co. and when I was doing foreclosures up here I was constantly finding errors in proposed judgments charging excessive interest (repeatedly). I always required the above referenced calculation in the judgments. I'd also suggest some language requiring the timely payment of clerk's fees and publication/notice fees to effectuate the sale so that the sales are not continuously postponed. There is a general fear among the judges that with hurricane season closing in a lot of companies don't want to gain legal ownership of the homes yet to minimize their risk, among other reasons.

We had a civil case management meeting today with Judges Schreiber, Richards, Jon Embury, and a number of others, including private attorneys. Given that a lot of the mill firms are not pushing their cases and are working on flat fees, perhaps for our civil case management system circuit-wide we should consider mandatory case management for foreclosures – the more these mill firms have to attend court hearings if they are not pushing their cases towards closure, the less ultimately they'll be making – good incentive to keep the files moving once filed.

I cannot make the meeting on the 14<sup>th</sup>, but I'd suggest something along the lines of the following:

**Case gets filed.** – Filing Attorney is required to serve a case management conference order on each party setting an **initial case management conference five months out from the filing month**. At that juncture, the 120 service period have passed (4 months) along with an additional month in which all parties at the latest should have answered. At the first conference the clerk or judge could enter all appropriate defaults and order mediation (if mediation was not ordered in the initial case management order to be served with the petition) and inquire as to what if anything further is needed by any party in terms of discovery and set a deadline – the next conference. The next case management conference could be set for either three

20TH CIR. 04387

months or five months out. If the case is not resolved prior to the next conference by SJ, then all loose ends if any could be tied up at the second conference and the case could be set for trial at that time. - Just a general sketch/idea, but you get the idea.

**From:** McHugh, Michael </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=MMCHUGH>

**To:** Carlin, John S.

Aloia, Nancy K

**CC:**

**Date:** 6/25/2010 2:03:44 PM

**Subject:** ?RE: procedure for telephonic hearings

---

I concur with Judge Carlin. None of the Judges allow telephonic appearances at Foreclosure Hearings. I would not set that precedent.

---

**From:** Carlin, John S.

**Sent:** Friday, June 25, 2010 1:17 PM

**To:** Aloia, Nancy K; McHugh, Michael

**Subject:** RE: procedure for telephonic hearings

Yes, I agree that we will not have any telephonic hearings for any foreclosure hearings for ones that are currently scheduled or will be scheduled in the future with a Magistrate or Senior Judge. You can give names of local counsel who handle cases if that would be helpful to the out of town attorney. If anybody gives you a difficult time, you can tell them that is per the Admin. Judge in Lee County. Let me know if you get any complaints.

---

**From:** Aloia, Nancy K

**Sent:** Friday, June 25, 2010 1:11 PM

**To:** McHugh, Michael; Carlin, John S.

**Subject:** procedure for telephonic hearings

Hello

I have a request for attorney to appear by phone in foreclosure hearing set before the Magistrate.

I would like to set protocol requiring all to appear in person for foreclosure cases that are set before wither the Senior Judge or Magistrate.

Do you foresee any problems with this? Thank you

*Nancy Aloia*

*Family/Civil Director*

*Twentieth Judicial Circuit*

*1700 Monroe Street, Ft. Myers, FL 33901*

*239-533-2991/Mobile 357-5641*

**From:** Aloia, Nancy K </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=NKW2884>

**To:** Carlin, John S.

**CC:**

**Date:** 7/13/2010 1:54:22 PM

**Subject:** ?RE: Draft Schedule for September and October for Senior Judges and Magistrates for Foreclosure cases

---

In September – We have Wed the 8<sup>th</sup> open for a Senior Judge day OR we can do a Friday wither the 3,10 or 17<sup>th</sup>.

The Magistrate calendar is OK since I am plugging in dates for Amy based upon the calendar I forwarded and Stella is not here.

---

**From:** Carlin, John S.

**Sent:** Tuesday, July 13, 2010 2:52 PM

**To:** Aloia, Nancy K

**Subject:** RE: Draft Schedule for September and October for Senior Judges and Magistrates for Foreclosure cases

What do you recommend for substitute DS date with a Senior Judge? Thanks for finding this!

---

**From:** Aloia, Nancy K

**Sent:** Tuesday, July 13, 2010 2:47 PM

**To:** Carlin, John S.

**Subject:** RE: Draft Schedule for September and October for Senior Judges and Magistrates for Foreclosure cases

Hello

Sept 9<sup>th</sup> is a court holiday – Rosh Hashanah

---

**From:** Carlin, John S.

**Sent:** Wednesday, July 07, 2010 2:41 PM

**To:** Aloia, Nancy K; McHugh, Michael

**Subject:** Draft Schedule for September and October for Senior Judges and Magistrates for Foreclosure cases

September

Senior Judge Schedule:

Hearing dates: September 1, 2, 20, 21, 24 and 27- 75 cases at 8:30 and 100 cases at 1:00

Docket soundings: September 7, 9, 13, 14, 22, 23, 28, 29 and 30- 75 cases at 8:30 and 75 cases at 1:00

Trial Days Available: Sept. 15 and 16

Friday Summary Judgment dockets: Sept. 3, 10, 17 and 24- 250 cases at 8:30 and 250 cases at 1:00

Once we agree to these dates, Penelope will book Judge Starnes and Judge Thompson

Magistrate Diamond Schedule:

Docket Sounding Dates: Sept. 1, 2, 22, 23, 24, 27, 28, (60 at 8:30 and 60 at 1:00)

Trial Days Available: Sept. 29

Lengthy Hearings (15 mins. or longer) set for Sept. 30 at 8:30, 9:30, 10:30, 1:00, 2:00, 3:00 and 4:00- set four hearings per hour

**20TH CIR 04340**

Set her for a docket sounding for every day that she is working in September. 60 cases at 8:30 and 60 cases at 1:00. She should not need any office time since she is in court doing docket soundings.

October

Senior Judge Schedule:

Hearing Dates: Oct. 4, 5, 11, 12, 18, 19 (75 cases at 8:30 and 100 cases at 1:00)

Docket Soundings: Oct. 6, 7, 13, 14, 21, 25, 26, 27, 28 (100 cases at 8:30 and 100 cases at 1:00)

Trial Days Available: Oct. 18 and 19

Friday Summary Judgment Dockets: Oct. 1, 8, 15, 22, 29 (250 cases at 8:30 and 250 cases at 1:00)

Magistrate Diamond:

Docket Soundings: Oct. 5, 6, 7, 12, 13, 14, 19, 20, 21, 26, 27, 28 (75 cases at 8:30 and 75 cases at 1:00)

Trials Days Available: Oct. 4, 8, 11, 15, 18, 22, 25

Lengthy Hearings: Oct. 29- schedule same as Sept.

Magistrate Hawthorne: Same schedule with 75 cases at 8:30 and 75 cases at 1:00 for Docket Soundings for each day that she is working in October

Please let me know your thoughts regarding this draft schedule. Thank you.

**From:** Aloia, Nancy K </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=NKW2884>

**To:** McHugh, Michael

**CC:**

**Date:** 7/13/2010 3:42:32 PM

**Subject:** ?RE: Uniform Mortgage Foreclosure FJ - status?

---

Can you send me the final version you have approved so that I have the correct one to place on the web?

Just to clarify – this form is to be placed in the “General Foreclosure” information page we have for Lee County. Correct?

---

**From:** McHugh, Michael

**Sent:** Tuesday, July 13, 2010 4:24 PM

**To:** Aloia, Nancy K

**Subject:** RE: Uniform Mortgage Foreclosure FJ - status?

Based on our conversation yesterday I think we want to put this form on our website as the preferred or requested form for residential foreclosures. As stated we don't want to not accept a final Judgment because it is not in this form, but we want to encourage the form's use. I have discussed this with Judge Winesett and she is in agreement with this plan.

---

**From:** Aloia, Nancy K

**Sent:** Wednesday, July 07, 2010 1:35 PM

**To:** McHugh, Michael

**Subject:** FW: Uniform Mortgage Foreclosure FJ - status?

Hello

Judge Winesett is inquiring about the uniform FJ order for foreclosures. Would you like me to respond to her? Thank you

---

**From:** English, Sharon

**Sent:** Wednesday, July 07, 2010 9:26 AM

**To:** Aloia, Nancy K

**Cc:** Cambareri, Kimberly

**Subject:** Uniform Mortgage Foreclosure FJ - status?

Good morning. I just received a call from Judge Winesett's JA, Debbie Hamsharie. Judge Winesett would like to know the status of the uniform final judgment for mortgage foreclosure that was being drafted. Does anyone know anything about this?

Thanks.

*Sharon English*

*Civil Case Manager*

*239-533-2801*

**From:** Atkins, Joanne </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JA2871>

**To:** Carlin, John S.

**CC:**

**Date:** 7/13/2010 8:27:40 AM

**Subject:** ?FW: Order of Referral to Magistrate - Residential Foreclosures

---

**From:** Aloia, Nancy K

**Sent:** Monday, July 12, 2010 6:35 PM

**To:** Hamsharie, Deborah; Trammell, Cindy; Golden, Diana; Thompson, Lucinda; 'Repperger, Kathryn'; Atkins, Joanne

**Cc:** Reduga, Scott; English, Sharon

**Subject:** Order of Referral to Magistrate - Residential Foreclosures

Hello

Res-Foreclosure cases being scheduled on the Magistrates' docket after an attorney has emailed the Massforeclosure account for hearing have been provided instructions (via our webpage) to complete an *Order of Referral to Magistrate* form and submit the order to us in civil case management for processing .

It has come to my attention that the *Order of Referral* are being sent directly to the Civil Judge's offices for signature by the law firms instead of to the Civil Case Management program as instructed. In the event you receive an *Order of Referral*, please just forward to Scott Reduga or myself so that we may handle the matter.

Thank you

*Nancy Aloia*

*Family/Civil Director*

*Twentieth Judicial Circuit*

*1700 Monroe Street, Ft. Myers, FL 33901*

*239-533-2991/Mobile 357-5641*



**From:** Trammell, Cindy </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=CLS2274>

**To:** Rose, Penelope

**CC:**

**Date:** 7/13/2010 10:23:30 AM

**Subject:** ?FW: Foreclosure information

---

**From:** Aloia, Nancy K

**Sent:** Thursday, July 08, 2010 7:32 PM

**To:** Trammell, Cindy; Golden, Diana; Thompson, Lucinda; Repperger, Kathryn; Conderman, Ellen; Hamsharie, Deborah

**Cc:** McHugh, Michael; Reduga, Scott; Winesett, Sherra

**Subject:** Foreclosure information

Hello

Me again. Here are the questions I received today:

- 1) Names/Numbers of Magistrate and Assistant? Magistrate Stella Diamond started this week. Her assistant is Craig Freeman and he begins Monday, 7/12. They are located on the first floor judicial pod next to the Child Support Hearing Officers (previously where Judge Thompson was located). Magistrate Amy Hawthorne is part-time and she begins August 10. Her part-time assistant is Shannon Dolson and she started last week. They will be on the third floor-Judicial office (previously where Judge E. Adams was located). Shannon is working out of DV Office right now while she is being trained on notices and Odyssey. (I will provide numbers shortly)
- 2) Where are their hearings and courtroom? Magistrate Diamond will use 1-B and Magistrate Hawthorne will use 5-I.
- 3) Will they receive all M F/C paperwork (Exparte motions)? I think this was answered earlier by separate email. On 8/1, Scott Reduga will receive all of the motions/paperwork to provide to the Senior Judges and or set on an available calendar before the Senior Judge or Magistrate. Anything time sensitive matters should be marked since we do not have a Senior Judges here every day and do not want to miss anything. We are still working out how all of this will work but we will have one central location for the paperwork received. Until 8/1, cases are still being handled by Judge Schreiber.
- 4) Who will sign the orders? If only Judges, is it only 2 weeks a month? The Judges are here throughout the month and not necessarily at 2 week intervals. The Senior Judges' calendar may overlap on some days but for the most part we are indentifying separate days for each Senior Judge throughout the month. The schedule is not the same as it was for Judge Schreiber with a 2-week rotation. We may not have a Senior Judge available for signing every day and will need to work through how this will operate when review and signatures are needed immediately.
- 5) What are the Magistrates hearing and what are the Snr judges hearing? Foreclosure Fridays continue with uncontested Motion for Summary Judgment handled by the Snr Judges. Other dockets before the Magistrate and Senior Judges are mixed with contested hearings, docket soundings and motions for Summary judgment.
- 6) Who will handle emergency motions? This will again depend on the Senior Judges' calendar and the dockets. Scott will be provided a calendar for days that the Senior Judges are available. We will set up a system with the Senior Judges on how they would like for us to handle. We will be meeting with them some time in the next week. I will provide more information as it becomes available.

Calls concerning foreclosures may be addressed to Sharon English, Civil Case Manager, or myself. She can be reached at 533-2801 and my number is below. The procedures for scheduling residential foreclosures remains the same and all are required to email the Massforeclosure email account. Foreclosures information has been provided on the court's webpage. The clerk continues to assist us with the scheduling of these cases. Docket Soundings are being scheduled by Court Admin using the Magistrate Assistants and internal staff being pulled from various depts. We started with the oldest cases first and are halfway through 2008.

Thank you – Nancy

*Nancy Aloia*

*Family/Civil Director*

*Twentieth Judicial Circuit*

*1700 Monroe Street, Ft. Myers, FL 33901*

*239-533-2991/Mobile 357-5641*

**20TH CIR 04344**

**From:** Winesett, Sherra </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=SWINESETT>

**To:** McHugh, Michael

**CC:** Crongeyer, Robert L.

**Date:** 7/13/2010 2:27:22 PM

**Subject:** ?RE: REVISED GM ORDER OF REFERRAL 071310

---

I have reviewed the order and made a few cosmetic /consistency type changes and it is attached.

---

**From:** McHugh, Michael

**Sent:** Tuesday, July 13, 2010 9:23 AM

**To:** Winesett, Sherra

**Cc:** Crongeyer, Robert L.

**Subject:** RE: REVISED GM ORDER OF REFERRAL 071310

I like the new order and agree that we should begin using it. I have gone ahead and made the changes in the document permanent. Why don't you take a look at it and make sure it is now in the final form. If it is I will forward it to Nancy for implementation.

---

**From:** Winesett, Sherra

**Sent:** Monday, July 12, 2010 7:47 PM

**To:** McHugh, Michael

**Cc:** Crongeyer, Robert L.

**Subject:** REVISED GM ORDER OF REFERRAL 071310

Judge McHugh: Bob Crongeyer and I have revised the General Magistrate Order of Referral. The revised order which we have agreed on, showing revisions we made, is attached. You can see by Bob's comments, and I agree, that using this order is much better than trying to adopt a local rule and will also eliminate the need for a second order. If satisfactory, I'd like to start using the revised order as soon as we can before we start getting exceptions filed. We'll await approval from you or whoever needs to give it. The order of referral for the foreclosure magistrates could also incorporate these changes since what they are using is our current order with some modifications to deal with foreclosures.

Note: You will need to get someone with more word skills than I have to finalize the order without the deletions and red-lining. Every time I hit review and final and save, it shows and prints a final draft but when I save it, it always saves showing the revisions.

---

**From:** Crongeyer, Robert L.

**Sent:** Monday, July 12, 2010 9:06 AM

**To:** Winesett, Sherra

**Subject:** RE: NEW ORDER OF REFERRAL - JULY 8, 2010.

Judge – Your revisions look fine to me. I definitely think this modification of the Order of Referral is the way to go. By incorporating the language providing guidance on how to proceed in this one Order, we eliminate the need for a second order after the exceptions are filed. Judge Fuller suggested a local rule which is also a good idea,. However I note under Rule 2.215(d) of the Florida Rules of Judicial Administration, adoption of a local rule as defined in Rule 2.120(b) can only be done after approval by the Florida Supreme Court and such approval can only be sought in January of each year, unless it is deemed an administrative order under Rule 2.120(c).

Bob

**Robert L. Crongeyer**

**General Magistrate**

**Fourth Floor**

**Lee County Justice Center**

**1700 Monroe Street**

**Fort Myers, FL 33901**

**20TH CIR 04345**

(239) 533-2583

---

**From:** Winesett, Sherra  
**Sent:** Thursday, July 08, 2010 3:59 PM  
**To:** Crongeyer, Robert L.  
**Subject:** RE: NEW ORDER OF REFERRAL - JULY 8, 2010.

Attached is my revision of your revision, the first shows the changes by deletions & underlining and the second removes the deletions so it's easier to read. I incorporated some of the procedure/language from the family law rule 12.490 which distinguishes between record & transcript, the record consisting of the file, evidence, depositions and a transcript if needed.

Apparently, this order is being modified for use by the foreclosure magistrate so I wanted to be precise. Feel free to criticize, make suggestions, etc.

---

**From:** Crongeyer, Robert L.  
**Sent:** Thursday, July 08, 2010 2:02 PM  
**To:** Winesett, Sherra  
**Subject:** NEW ORDER OF REFERRAL - JULY 8, 2010.

Judge – Attached is proposed revision to the “new” order of Referral. I think it covers everything, but please review. It does still state there is no electronic recording and we are working to get that rectified, although it invites the presence of a court reporter.

Bob

**From:** [Embury, Jon </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JEMBURY>](mailto:Embury, Jon </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JEMBURY>)

**To:** [Davis, Dana](mailto:Davis, Dana)  
[Conderman, Ellen](mailto:Conderman, Ellen)

**CC:** [Richards, George](mailto:Richards, George)  
[Schreiber, Lee Ann](mailto:Schreiber, Lee Ann)

**Date:** 7/15/2010 11:02:06 AM

**Subject:** ?RE: Question

---

Yes we will need to make some changes.

I would like to coordinate a quick meeting with you, Ellen, Judge Richards and Judge Schreiber. I just want to make sure we are all on the same page.

Is there any time (for you and your Judge) that may work this afternoon or Friday? My only limitation is Friday at 1:30 I have a court technology meeting. But that should only be about an hour.

Thank you

---

**From:** Davis, Dana  
**Sent:** Thursday, July 15, 2010 9:46 AM  
**To:** Conderman, Ellen; Embury, Jon  
**Subject:** Question

Since changes are being made to the Charlotte foreclosure procedure I would like to change my voicemail message and JACS rules to indicate so prior to implementation. Can we do that and if so what should we tell people?

Dana Davis  
Judicial Assistant to Hon. George C. Richards  
Charlotte County Circuit Judge  
Telephone 941-637-2375  
Fax 941-637-2358 (new fax)

**From:** Aloia, Nancy K </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=NKW2884>

**To:** Freeman, Craig

Diamond, Stella

**CC:**

**Date:** 7/16/2010 12:23:20 PM

**Subject:** Emailing: forecloseinfo

**Attachments:** forecloseinfo.url

---

Link to the court's webpage for foreclosure information.

Shortcut to: <http://www.ca.cjis20.org/web/programs/forecloseinfo.asp>

I will be by today with follow-up on questions received.

**From:** Aloia, Nancy K </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=NKW2884>

**To:** Sauls, Sandi

**CC:** Diamond, Stella

Freeman, Craig

Reduga, Scott

**Date:** 7/16/2010 3:49:08 PM

**Subject:** Foreclosure Order Adopting Report and Recommendation (2)

---

Hello Sandi

I am forwarding another document to be placed in Odyssey. Thank you

**From:** Aloia, Nancy K </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=NKW2884>

**To:** Sauls, Sandi

**CC:** Diamond, Stella

Freeman, Craig

**Date:** 7/16/2010 3:47:06 PM

**Subject:** ?FW: Report and Recommendation Template

---

Can you please place in Odyssey for civil cases? She needs early part of next week in preparation for her dockets. I have re-titled "Foreclosure Report and Recommendation" so that it is not confused with Mag Crongeyer's civil case reports. I also saved as a doc file since our doc templates do not translate well from your end. Please let me know if you have any questions. Thank you

---

**From:** Freeman, Craig

**Sent:** Friday, July 16, 2010 4:04 PM

**To:** Aloia, Nancy K

**Cc:** Diamond, Stella

**Subject:** Report and Recommendation Template

Nancy,

This is the "Report and Recommendation" form for Odyssey.

Craig

**From:** [Hendrickx, Jo-Ann </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JHENDRICKX>](mailto:Hendrickx,Jo-Ann@CA.CJIS20.ORG)

**To:** 'Shirly Celestin'

**CC:**

**Date:** 7/16/2010 3:01:40 PM

**Subject:** ?FW: RE: Add on for Hendry Judge

---

**Here are the full names of the new Judges that will handle foreclosure in Hendry County/Glades County. Thank you**

---

**From:** Connell, Marguerite

**Sent:** Friday, July 16, 2010 3:59 PM

**To:** Hendrickx, Jo-Ann

**Subject:** RE: RE: Add on for Hendry Judge

William C. McIver

Donald Pellechia

---

**From:** Hendrickx, Jo-Ann

**Sent:** Friday, July 16, 2010 3:49 PM

**To:** Connell, Marguerite

**Subject:** FW: RE: Add on for Hendry Judge

**What are the full names of the Senior Judges**

**Jo-Ann Hendrickx**

**Judicial Assistant to**

**Honorable Christine Greider**

**Circuit Court**

**Tel: 863-675-5225**

**Fax: 863-675-5361**

---

**From:** Shirly Celestin [mailto:scelestin@courtcalls.com]

**Sent:** Friday, July 16, 2010 1:40 PM

**To:** Hendrickx, Jo-Ann

**Subject:** Re: RE: Add on for Hendry Judge

Received. Thank you very much, Jo-Ann.

<-----Original Message----->

From: Hendrickx, Jo-Ann [JHendrickx@CA.CJIS20.ORG]

Sent: 7/16/2010 10:29:59 AM

To: 'Shirly Celestin'

Cc: Mann, Sheila

Subject: RE: Add on for Hendry Judge

**I will provide you with the full names.**

20TH CIR 04351



**Mr. Larsen will still be in Hendry/Glades.  
Those Judges' are in addition.**

**Jo-Ann Hendrickx**  
**Judicial Assistant to**  
**Honorable Christine Greider**  
**Circuit Court**  
**Tel: 863-675-5225**  
**Fax: 863-675-5361**

---

**From:** Shirlyly Celestin [mailto:scelestin@courtcall.com]  
**Sent:** Friday, July 16, 2010 12:50 PM  
**To:** Hendrickx, Jo-Ann  
**Subject:** Re: Add on for Hendry Judge

Okay.  
Jo-Ann would please provide me with full name for these judges.  
Is Judge McIver substituting Magistrate Larsen as of September 2010? if So, will Mag. Larsen continue to use Courtcall?  
Please advise.

Thank you.

Shirlyly Celestin  
Calendar Clerk  
CourtCall, LLC  
P 888-882-6878 ext. 870  
F 888-883-2946

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Thank you.

<-----Original Message----->  
From: Hendrickx, Jo-Ann [JHendrickx@CA.CJIS20.ORG]  
Sent: 7/16/2010 8:49:49 AM  
To: 'Shirlyly Celestin'  
Subject: Add on for Hendry Judge



Good morning,

We are going to have new Judges doing foreclosures in Hendry County. I would need Courtcall to add the following Judges:

Judge McIver  
Judge Pallichia.

Thank you

**Jo-Ann Hendrickx**  
**Judicial Assistant to**  
**Honorable Christine Greider**  
**Circuit Court**  
**Tel: 863-675-5225**  
**Fax: 863-675-5361**

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**From:** [Hendrickx, Jo-Ann </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JHENDRICKX>](mailto:Hendrickx,Jo-Ann@CA.CJIS20.ORG)

**To:** [Lauron Mckenzie'](mailto:Lauron.Mckenzie@marshallwatson.com)

**CC:**

**Date:** 7/16/2010 8:11:06 AM

**Subject:** ?RE: HENDRY HEARINGS NEEDED

---

**We have new procedures for all foreclosure cases whether they are msj or other kind of motions.**

**Jo-Ann Hendrickx**  
**Judicial Assistant to**  
**Honorable Christine Greider**  
**Circuit Court**  
**Tel: 863-675-5225**  
**Fax: 863-675-5361**

---

**From:** Lauron Mckenzie [mailto:lauron.mckenzie@marshallwatson.com]  
**Sent:** Friday, July 16, 2010 9:10 AM  
**To:** Hendrickx, Jo-Ann  
**Cc:** Connell, Marguerite  
**Subject:** RE: HENDRY HEARINGS NEEDED

Actually it's a motion to dismiss, not a motion for summary judgment. Sorry

---

**From:** Hendrickx, Jo-Ann [mailto:JHendrickx@CA.CJIS20.ORG]  
**Sent:** Friday, July 16, 2010 9:07 AM  
**To:** Lauron Mckenzie  
**Cc:** Connell, Marguerite  
**Subject:** RE: HENDRY HEARINGS NEEDED

**WE have new procedures and I am going to forward your email to the Foreclosure assistant to help you with scheduling your hearing.**

**Jo-Ann Hendrickx**  
**Judicial Assistant to**  
**Honorable Christine Greider**  
**Circuit Court**  
**Tel: 863-675-5225**  
**Fax: 863-675-5361**

---

**From:** Lauron Mckenzie [mailto:lauron.mckenzie@marshallwatson.com]  
**Sent:** Friday, July 16, 2010 9:03 AM  
**To:** Hendrickx, Jo-Ann  
**Subject:** RE: HENDRY HEARINGS NEEDED

yes

20TH CIR 04354

---

**From:** Hendrickx, Jo-Ann [mailto:JHendrickx@CA.CJIS20.ORG]  
**Sent:** Friday, July 16, 2010 9:01 AM  
**To:** Lauron Mckenzie  
**Subject:** RE: HENDRY HEARINGS NEEDED

**Good morning, is this a Foreclosure case?**

**Jo-Ann Hendrickx**  
**Judicial Assistant to**  
**Honorable Christine Greider**  
**Circuit Court**  
**Tel: 863-675-5225**  
**Fax: 863-675-5361**

---

**From:** Lauron Mckenzie [mailto:lauron.mckenzie@marshallwatson.com]  
**Sent:** Thursday, July 15, 2010 4:54 PM  
**To:** Hendrickx, Jo-Ann  
**Subject:** HENDRY HEARINGS NEEDED

Hi Jo-Ann. Can you give me a few hearing dates for the below case because I have to coordinate with opposing counsel. Thanks.

Fla. R. Court 2.420  
Fla. R. Court 2.420  
Fla. R. Court 2.420  
Fla. R. Court 2.420  
Fla. R. Court 2.420  
Fla. R. Court 2.420  
Fla. R. Court 2.420  
Fla. R. Court 2.420

**Lauron McKenzie**  
**Judgment Hearing Setter**  
**Law Offices of Marshall C. Watson P.A.**  
1800 NW 49th Street | Suite 120 | Fort Lauderdale FL 33309  
Office: (954) 453-0365 Ext 1355  
Email: [lauron.mckenzie@marshallwatson.com](mailto:lauron.mckenzie@marshallwatson.com)

---

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**20TH CIR 04355**



**From:** Aloia, Nancy K </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=NKW2884>

**To:** Diamond, Stella

**CC:**

**Date:** 7/20/2010 11:51:52 AM

**Subject:** Notice with next event- magistrate

---

Notice setting next court event. Language with cert of service.

**From:** [Hendrickx, Jo-Ann </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JHENDRICKX>](mailto:Hendrickx,Jo-Ann@CA.CJIS20.ORG)

**To:** 'Shirly Celestin'

**CC:**

**Date:** 7/20/2010 9:40:26 AM

**Subject:** ?RE: Court Call

---

**They will doing on day of Motions for Summary Judgments on Foreclosure per month and various Civil Motions 1 day a month**

**Jo-Ann Hendrickx**  
**Judicial Assistant to**  
**Honorable Christine Greider**  
**Circuit Court**  
**Tel: 863-675-5225**  
**Fax: 863-675-5361**

---

**From:** Shirly Celestin [mailto:scelestin@courtcall.com]  
**Sent:** Tuesday, July 20, 2010 10:39 AM  
**To:** Hendrickx, Jo-Ann  
**Subject:** Re: Court Call

Thank you, Jo-Ann. Do you know if they will be doing Motion for Summary judgments of Foreclosures various days/times?

Shirly Celestin  
Calendar Clerk  
CourtCall, LLC  
P 888-882-6878 ext. 870  
F 888-883-2946

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Thank you.

<-----Original Message----->

**From:** Hendrickx, Jo-Ann [JHendrickx@CA.CJIS20.ORG]  
**Sent:** 7/20/2010 7:31:17 AM  
**To:** 'Shirly Celestin'  
**Subject:** Court Call

20TH CIR 04358



Good morning,

I just wanted to let you know that the new Judges in Hendry will be starting August 26.

Thanks

**Jo-Ann Hendrickx**  
**Judicial Assistant to**  
**Honorable Christine Greider**  
**Circuit Court**  
**Tel: 863-675-5225**  
**Fax: 863-675-5361**

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**From:** Hendrickx, Jo-Ann </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JHENDRICKX>

**To:** McGarity, James

**CC:**

**Date:** 7/23/2009 9:58:14 AM

**Subject:** ?RE: Updated Docket

---



I think that because attorneys are filing it with the notice of hearing, the clerk files the notice and the Order as one documents. If you open the Notice of Hearing you might have it all together

***Jo-Ann Hendrickx***

***Judicial Assistant to  
Honorable Christine Greider***

***Circuit Judge***

***Tel: 863-675-5225***

***Fax: 863-675-5361***

---

**From:** McGarity, James

**Sent:** Thursday, July 23, 2009 10:56 AM

**To:** Hendrickx, Jo-Ann

**Subject:** RE: Updated Docket

Thanks, I was looking thru the ccis window and for the civil cases in the p.m. they are docketed. I figured that the a.m. foreclosures would probably be "blanket" since they didn't show in the ccis as separate filings.

---

**From:** Hendrickx, Jo-Ann

**Sent:** Thursday, July 23, 2009 10:53 AM

**To:** McGarity, James

**Subject:** RE: Updated Docket

There is.....The Attorneys are filing the blanket order of referral with their notice of hearing. I have reviewed the files and the ones that did not have it; I have printed it and attached it to the top of the file. Some Attorneys are stubborn and do not understand the full process yet.

***Jo-Ann Hendrickx***

***Judicial Assistant to  
Honorable Christine Greider***

***Circuit Judge***

***Tel: 863-675-5225***

***Fax: 863-675-5361***

---

**From:** McGarity, James

**Sent:** Thursday, July 23, 2009 10:48 AM

**To:** Hendrickx, Jo-Ann

**Subject:** RE: Updated Docket

Dumb question. Is there a blanket Order of Referral giving me jurisdiction in all the foreclosure cases I'll hear? If so, let me know.

Thanks,

Jim

20TH CIR 04360

**From:** Hendrickx, Jo-Ann  
**Sent:** Thursday, July 23, 2009 10:24 AM  
**To:** McGarity, James  
**Subject:** RE: Updated Docket

I will probably be here at 8:30. You can ask the Security guys to let you in my office. The files are in a basket.

***Jo-Ann Hendrickx***  
***Judicial Assistant to***  
***Honorable Christine Greider***  
***Circuit Judge***  
***Tel: 863-675-5225***  
***Fax: 863-675-5361***

---

**From:** McGarity, James  
**Sent:** Thursday, July 23, 2009 10:23 AM  
**To:** Hendrickx, Jo-Ann  
**Subject:** RE: Updated Docket

That's ok. The Clerk can apprise me in the morning. I'll get there @ 8 a.m.

---

**From:** Hendrickx, Jo-Ann  
**Sent:** Thursday, July 23, 2009 10:22 AM  
**To:** McGarity, James  
**Subject:** RE: Updated Docket

I have 2 foreclosure add ons:  
**Fla. R. Court 2.420** at 9:00am.

***Jo-Ann Hendrickx***  
***Judicial Assistant to***  
***Honorable Christine Greider***  
***Circuit Judge***  
***Tel: 863-675-5225***  
***Fax: 863-675-5361***

---

**From:** McGarity, James  
**Sent:** Thursday, July 23, 2009 10:22 AM  
**To:** Hendrickx, Jo-Ann  
**Subject:** RE: Updated Docket

Jo-Ann  
No need to email me if any cases cancelled. If there are add-ons please let me know.  
Thanks,  
Jim

---

**From:** Hendrickx, Jo-Ann  
**Sent:** Thursday, July 23, 2009 9:50 AM  
**To:** McGarity, James  
**Subject:** Updated Docket

Good morning,

20TH CIR 04361

Would you like for me to email you the most recent updated docket or do I just print a copy and provide it to you tomorrow morning?

***Jo-Ann Hendrickx***  
***Judicial Assistant to***  
***Honorable Christine Greider***  
***Circuit Judge***  
***Tel: 863-675-5225***  
***Fax: 863-675-5361***

**From:** Hayes, Hugh </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=HUGHH>

**To:** Metcalfe, Jan

**CC:**

**Date:** 7/27/2010 1:30:58 PM

**Subject:** HAMP

---

Once a Hamp app has been made, the servicer bank must certify to the foreclosure atty that a borrower is not HAMP eligible before foreclosure sale can be conducted.

Sent from my Verizon Wireless BlackBerry

**From:** [Hendrickx, Jo-Ann </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JHENDRICKX>](mailto:Hendrickx,Jo-Ann@CA.CJIS20.ORG)

**To:** ['Shirly Celestin'](mailto:Shirly.Celestin@courtcall.com)

**CC:** [Connell, Marguerite](mailto:Connell,Marguerite@courtcall.com)

**Date:** 7/29/2010 12:02:16 PM

**Subject:** ?RE: RE: Senior Judges

---

**Thank you**

**Jo-Ann Hendrickx**  
**Judicial Assistant to**  
**Honorable Christine Greider**  
**Circuit Court**  
**Tel: 863-675-5225**  
**Fax: 863-675-5361**

---

**From:** Shirly Celestin [mailto:scelestin@courtcall.com]

**Sent:** Thursday, July 29, 2010 12:01 PM

**To:** Hendrickx, Jo-Ann

**Subject:** Re: RE: Senior Judges

Okay, in order NOT to create a conflict for motions and trial hearing dates with the MSJ hearings, we will create a line for MSJ hearings only under - [Hendry, Senior Judges/Foreclosures](#)

Thank you.

<-----Original Message----->

**From:** Hendrickx, Jo-Ann [JHendrickx@CA.CJIS20.ORG]

**Sent:** 7/29/2010 8:44:36 AM

**To:** 'Shirly Celestin'

**Cc:** Connell, Marguerite

**Subject:** RE: Senior Judges

**All 3 Judges will have MSJ days and regular motion days and trial days.**  
**However you think Courtcall should handle the dial in number is up to you.**

**Jo-Ann Hendrickx**  
**Judicial Assistant to**  
**Honorable Christine Greider**  
**Circuit Court**  
**Tel: 863-675-5225**  
**Fax: 863-675-5361**

---

**From:** Shirly Celestin [mailto:scelestin@courtcall.com]

**Sent:** Thursday, July 29, 2010 11:38 AM

**To:** Hendrickx, Jo-Ann

**Subject:** Re: Senior Judges

20TH CIR 04364

Jo-Ann, I am trying to call you,

Do you want me to create a new dial number for a senior judge calendar? which will mean that all MSJ hearings be scheduled under this calendar regardless of who will be the judge calling into the line; or Are we to set these hearings under Judge [Mclver](#)?

Shirly Celestin  
Calendar Clerk  
CourtCall, LLC  
P 888-882-6878 ext. 870  
F 888-883-2946

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Thank you.

<-----Original Message----->

From: Hendrickx, Jo-Ann [JHendrickx@CA.CJIS20.ORG]  
Sent: 7/29/2010 8:13:58 AM  
To: 'scelestin@courtcall.com'  
Cc: Connell, Marguerite  
Subject: Senior Judges

Image  
removed by  
sender. Image  
removed by  
sender.

**Hi there,**

**WE are setting court for the Senior Judges in Hendry but apparently Courtcall doesn't have them up and running yet.**

**Please help.**

**I am copying Margo from our office who is the contact for the Senior Judges.**

**Thank you**

**Jo-Ann Hendrickx  
Judicial Assistant to  
Honorable Christine Greider  
Circuit Court  
Tel: 863-675-5225**

**20TH CIR 04365**

**Fax: 863-675-5361**

---

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**From:** [Greider, Christine </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=CGREIDER>](mailto:Greider,Christine@SAO20.CACJIS.RECIPIENTS.CGREIDER)

**To:** [Hendrickx, Jo-Ann](mailto:Hendrickx,Jo-Ann)

**CC:**

**Date:** 7/30/2009 11:43:16 AM

**Subject:** orderfornonjurytrial.doc

---

Please discontinue use of your Order for Non-Jury trial and use the attached. Your form is not compliant with Rules of Judicial Administration. Note that there are fields within which you must insert variables (or remove variables) Thanks.



**From:** Hayes, Hugh </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=HUGHH>

**To:** Friedman, David

Pivacek, Cynthia

**CC:** Mravic, Deborah

Metcalf, Jan

**Date:** 8/1/2009 6:00:24 PM

**Subject:** ?RE: foreclosure case management

---

Sounds good to me. I'm available any day this week @ lunch...other than our judge's meeting.

---

From: Friedman, David

Sent: Friday, July 31, 2009 12:25 PM

To: Pivacek, Cynthia

Cc: Hayes, Hugh; Mravic, Deborah

Subject: RE: foreclosure case management

Anytime that is convenient for you. I look forward to it.

---

From: Pivacek, Cynthia

Sent: Thursday, July 30, 2009 4:53 PM

To: Friedman, David

Cc: Hayes, Hugh

Subject: RE: foreclosure case management

Judge Hayes is out the rest of the week..maybe we could meet next week during a lunch..I think I am available any lunch period, so lets wait until Judge Hayes returns...

---

From: Friedman, David

Sent: Thursday, July 30, 2009 11:18 AM

To: Pivacek, Cynthia; Hayes, Hugh

Cc: Mravic, Deborah

Subject: foreclosure case management

Your Honors:

I think it would be useful for us to meet soon regarding a question I have. Many cases are not moving along to summary judgment and HOAs file a notice of trial. Some of these cases are appropriate for mediation, but others may not be (not owner occupied or not occupied at all). I would like to discuss with you the scheduling of non-jury trials before me or case management or any other method of resolution of these types of cases. Understanding whether each of you desires a different route through the court system or whether there is unanimity would be helpful as I process cases for trial or alternative dispute resolution.

Respectfully,

DCF

**From:** Aloia, Nancy K </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=NKW2884>

**To:** Carlin, John S.

**CC:**

**Date:** 8/11/2010 1:46:42 PM

**Subject:** ?RE: 8/19 - Need Snr Judge for foreclosures

---

Just following up with an earlier email sent while you were out to determine if you would like for me to follow-up with Penelope regarding the 8/19 hearing date.

Feedback on project: We took over the review/signing of the foreclosures August 1. We anticipated the volume to be higher in the beginning and then expected it to level off. We are on day 10 and it does not appear to be leveling off. On average, it take about 3.5 hours a day to sign foreclosure paperwork. Last night I was here with Judge Starnes until 8pm. Both were here together signing Friday evening until 6:30pm. The majority of the paperwork received are for resets on foreclosure sales.

---

**From:** Aloia, Nancy K

**Sent:** Friday, August 06, 2010 1:04 PM

**To:** Carlin, John S.

**Subject:** 8/19 - Need Snr Judge for foreclosures

**Importance:** High

Hello

On 8/19 we do not have a Senior Judge assigned to cover Judge Schreiber's docket. It was not one of the dates listed for coverage so I am not certain if their office just missed that date when they provided it to you.

If you OK - I can take care of with Penelope. Thank you

*Nancy Aloia*

*Family/Civil Director*

*Twentieth Judicial Circuit*

*1700 Monroe Street, Ft. Myers, FL 33901*

*239-533-2991/Mobile 357-5641*

**From:** Trammell, Cindy </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=CLS2274>

**To:** Rose, Penelope

**CC:**

**Date:** 8/11/2010 10:15:32 AM

**Subject:** ?RE: Foreclosure Mail

---

K thxs....

---

**From:** Rose, Penelope

**Sent:** Wednesday, August 11, 2010 11:13 AM

**To:** Perham, Kathleen; Trammell, Cindy; Hamsharie, Deborah

**Cc:** Kellum, Ken

**Subject:** Foreclosure Mail

Good Morning Ladies:

If you have any foreclosure related mail, please take it to Family Court Services – specifically to Scott Rudega. He is Nancy Aloia's Administrative Assistant and he opens the foreclosure related mail.

Thank you.

Penelope

**From:** [Shelton, Jeremy </O=SAO20/OU=EXCHANGE ADMINISTRATIVE GROUP \(FYDIBOHF23SPDLT\)/CN=RECIPIENTS/CN=JSHELTON>](mailto:Shelton, Jeremy </O=SAO20/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JSHELTON>)

**To:** [Davis, Dana](mailto:Davis, Dana)

**CC:**

**Date:** 8/12/2010 3:36:14 PM

**Subject:** foreclosrue trial order

---

This is the trial order we are using containing additional language (per Judge Kyle).

Thank you,

*Jeremy J. Shelton*

Civil Case Manager

20th Judicial Circuit, Charlotte County

Administrative Office of the Courts

350 East Marion Avenue

Punta Gorda, Florida 33983

Email: [jshelton@ca.cjis20.org](mailto:jshelton@ca.cjis20.org)

Phone: 941.637.2100

## Starnes, Hugh E

---

**From:** Aloia, Nancy K  
**Sent:** Friday, August 13, 2010 6:02 PM  
**To:** Starnes, Hugh E; Thompson, James; English, Sharon; Reduga, Scott  
**Subject:** Foreclosure Mediation Procedures  
**Attachments:** Foreclosure Mediation Procedures.docx

Hello

Bruce Waddell has provided us with the Mediation Dept's procedures to help with signing the foreclosure orders. I have posted on the wall in the room where the Senior Judges are signing. Thank you

**From:** Aloia, Nancy K </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=NKW2884>

**To:** Carlin, John S.

McHugh, Michael

**CC:**

**Date:** 8/16/2010 5:41:22 PM

**Subject:** Foreclosure Meeting

---

Court Outcome document shows the # of DS set and # of cases continued.

July had the mixed dockets (DS and hearings) so numbers are lower. In August, Magistrate Diamond is on vacation for 3 weeks and we set 1,862 DS. September is a full docket with about 3,900 DS set.

I believe Judge Starnes has more to add to the list of discussion for tomorrow's meeting. If he has a chance, he will email and I will add on. He is still here reviewing/signing orders.

Thank you – Nancy

**From:** Aloia, Nancy K </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=NKW2884>

**To:** Carlin, John S.

McHugh, Michael

**CC:**

**Date:** 8/16/2010 12:59:02 PM

**Subject:** monthliseniorjudge (2).pdf - Adobe Reader

---

Hello

In response to your earlier email, I had the stat report run by Kim modified to pick up on all motion types. Here is a more accurate picture of what is happening with these dockets.

To-date: 3 trials set.

I will send over a breakdown of continued DS notices that went out via a separate spreadsheet. The Judges and Magistrates are case managing at the first DS so that is why you will see a higher #.

Thank you



# Senior Judge Docket from 8/16/2010 to 9/13/2010 - All hearings

**Calendar Date**      **8/16/2010**

**Judge:**      **SENIOR JUDGE THOMPSON**

Abate and Compel Mediation	1
Compel Mediation	1
Dismiss and Extension of Time	1
Dismiss and Objections on MSJ	1
M/ Amend Certificate of Title	1
M/ for Writ of Possession	1
M/Extension of Time <b> M/for Mediation	1
M/for Writ of Possession	1
M/Substitute <b> M/Summary Judgment	1
M/to Amend	2
M/to Correct Scrivener's Error	1
M/to Require Mediation	1
Motion to Reinstate	1
Motion: AMEND	1
Motion: COMPEL	1
Motion: DEFICIENCY JUDGMENT	4
Motion: DISMISS	10
Motion: EXTEND TIME	1
Motion: FINAL DEFAULT JUDGMENT	1
Motion: MOTION TO WITHDRAW	1
Motion: Motion to Withdraw Counsel	3
Motion: SET ASIDE	1
Motion: STRIKE	2
Motion: SUMMARY JUDGEMENT	7
Motion: SUMMARY JUDGMENT FORECLOSURE	5
Motion: VACATE	1
Motion: WITHDRAW	1
Objection to Dropping Count	2
Sanctions and to Strike	1
Set aside notice of dropping and to Reinstate unknown spouse &	1
Sub Party and MSJ	6
Sub Party Plaintiff and MSJ	2
to Reinstate	4
Writ of Possession	1

**Morning**                              **70**

Compel Discovery and to Order Mediation	1
Def Motion for Mediation	1
Enlargement of Time	1
Extension of Time and to Stay	1
for Mediation	1
Judgment for pleadings or Strike and sanctions	1
M/ Substitute of Party Defendant	1
M/to Amend Answer	1
Mediation	1
Mo/Mediation	1
Mo/Sub APrtY Plaintiff - Mo.SJ	1
Mo/Sub PArty Plaintiff - Mo/Sj	1
Mo/Sub Party Plaintiff - Mo/Summary Judgment	1
Mo/Sub Party Plaintiff & Mo/Sumamry Judgment	1
Mo/Sub PArty Plaintiff & Mo/Summary Judgment	1
Motion: AMEND	1
Motion: DISMISS	12
Motion: FINAL JUDGMENT	7
Motion: Motion to Compel	1
Motion: REHEARING	1
Motion: SET ASIDE	1
Motion: SUBSTITUE PARTY PLAINTIFF	5
Motion: SUMMARY JUDGEMENT	9

**20TH CIR 04376**

# Senior Judge Docket from 8/16/2010 to 9/13/2010 - All hearings

Motion: SUMMARY JUDGMENT FORECLOSURE	4
Motion: VACATE	2
Reforclosure	1
Sub Party and MSJ	7
Sub Party Plaintiff and MSJ	1
to Reopen	1

**Afternoon                      68**

**Total For                      8/16/2010                      138**

---

**Calendar Date                      8/17/2010**

**Judge:                      SENIOR JUDGE THOMPSON**

Leave to Amend Complaint	2
M/ File Supplemental Complaint	1
M/ Substitute <b> M/Summary Judgment	1
M/for Writ of Possession	2
M/Ref. Mediation	1
M/SJ & M/Vacate Default & Sanctions	1
M/Substitute <b> M/Summary Judgment	10
Motion: AMEND	3
Motion: COMPEL	1
Motion: DEFAULT	1
Motion: DEFICIENCY JUDGMENT	14
Motion: DISBURSE FUNDS	1
Motion: DISMISS	11
Motion: Motion to Withdraw Counsel	1
Motion: STRIKE	3
Motion: SUBSTITUE PARTY PLAINTIFF	2
Motion: SUMMARY JUDGEMENT	3
Motion: SUMMARY JUDGMENT FORECLOSURE	1
Objection to Dropping Count	2
Strike and Dismiss	1
Strike and MSJ	1
Sub Party and MSJ	1
Substitute Plaintiff	1
To Amend and Strike Affirmative Defenses	1
To Reopen	1
To Return Suspense Balance	2
Transfer Pleading	1
Writ of Possession	2

**Morning                      72**

Leave to Amend	1
M/for Writ of Possession	2
M/Substitute <b> M/Summary Judgment	1
M/to Correct Clerical Error	1
M/to Correct Scrivener's Error	1
M/to Substitute <b> M/Summary Judgment	1
M/Writ of Possession	1
Motion: AMEND	1
Motion: COMPEL	4
Motion: DEFICIENCY JUDGMENT	18
Motion: DISBURSE FUNDS	1
Motion: DISMISS	11
Motion: MEDIATION	1
Motion: SANCTIONS	1
Motion: SET ASIDE	2
Motion: SHOW CAUSE	1
Motion: STRIKE	1
Motion: SUBSTITUE PARTY PLAINTIFF	1
Motion: SUMMARY JUDGEMENT	4
Motion: SUMMARY JUDGMENT FORECLOSURE	7
Motion: VACATE	2

# Senior Judge Docket from 8/16/2010 to 9/13/2010 - All hearings

OSC	1
Reinstate	1
Relief from Judgment	1
Sub Party and MSJ	1
to Reinstate	1

**Afternoon                      68**

**Total For                      8/17/2010                      140**

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**Calendar Date                      8/18/2010**

**Judge:                      SENIOR JUDGE THOMPSON**

M/ Amended FJ	1
M/ for Leave to File	1
M/ for Writ of Possession	1
M/ to Amend	1
M/Amend Certificate of Title	1
M/Amend FSJ	1
M/for Leave to File	1
M/for Leave to file Amended Complaint	3
M/for Writ of Possession	2
M/Substitute Party	5
M/to Reinstate	1
M/to Reschedule Sale	1
M/Writ of Possession	2
Motion: AMEND	7
Motion: FINAL JUDGMENT	1
Motion: SUMMARY JUDGMENT FORECLOSURE	55
Motion: VACATE	5

**Morning                      89**

Amend	1
Case Management Conference	1
for Rehearing MSJ	1
M.Protective Order <b> M/to Strike	1
M/ Appoint Guardian at Litem	1
M/ Leave to file Reply	1
M/ Partial SJ	1
M/ Reopen	1
M/ Reset Sale & Dispurse	1
M/ Sub Plaintiff	3
M/ to Amend	2
M/ to Substitute	1
M/ Writ of Possession	1
M/Amend	1
M/Amend Answer	1
M/for Leave to file Amended Answer	1
M/for Writ of Possession	2
M/Substitute <b> M/Summary Judgment	2
M/to Amend <b> M/to Substitute	1
M/to Compel Mediation <b> M/to Vacate FJ	1
M/to Reinstate	1
M/to Reset Sale	1
M/to Substitute	1
M/to Substitute Party	1
M/to Substitute Party <b> M/for Summary Judgment	1
MO/ComeplDiscovery /log	1
Mo/Dismiss CounterClaim - Pl. Mo/Compel- Def Mo/Dismiss	1
Mo/Strike - Mo/Summary Judgment	1
Motion: AMEND	1
Motion: DEFAULT	1
Motion: DISMISS	6
Motion: EXTEND TIME	1
Motion: Motion to Compel	3

# Senior Judge Docket from 8/16/2010 to 9/13/2010 - All hearings

Motion: Motion to Withdraw Counsel	6
Motion: SET ASIDE	1
Motion: STRIKE	3
Motion: SUBSTITUE PARTY PLAINTIFF	2
Motion: SUMMARY JUDGMENT FORECLOSURE	12
Motion: VACATE	2
Objection to Sale	1
Relief and Objection to Sale	1

**Afternoon**                      **73**

**Total For**                      **8/18/2010**                      **162**

**Calendar Date**                      **8/19/2010**

**Judge:**                      **SENIOR JUDGE THOMPSON**

Amend and Dismiss	1
Compel and Dismiss counterclaim	1
Correct Scriverners Error and MSJ	1
Discovery Objections and MSJ	1
Extended time to respond to Discovery	1
M/ Amend	3
M/ Dismiss <b> Vacate Default	1
M/ Stop Foreclosure sale	1
M/ Writ of Possession	1
M/for Deficiency Judgment	1
M/for Leave to Amend	1
M/Substitute <b> M/Summary Judgment	6
M/Substitute <b> M/Summary Judgment	1
M/to Amend FJ and Reset Sale Date	1
Mo/Extension of time	1
Mo/Mediation	1
Motion: AMEND	2
Motion: COMPEL	2
Motion: DISMISS	11
Motion: Motion to Compel	1
Motion: MOTION TO WITHDRAW	1
Motion: Motion to Withdraw Counsel	2
Motion: STRIKE	1
Motion: SUBSTITUE PARTY PLAINTIFF	4
Motion: SUMMARY JUDGEMENT	7
Motion: SUMMARY JUDGMENT FORECLOSURE	1
Motion: VACATE	1
MSJ & M/Drop Party	1
Sub Party and MSJ	2
Sub Party Plaintiff and MSJ	10

**Morning**                      **69**

M/ Award atty fees & costs	1
M/ Deficiency Judgment	1
M/ Issue Writ	1
M/ Sub Plaintiff	1
M/ to Substitute	1
M/ Vacate <b> Set Aside Judgment	1
M/ Vacate FJ <b> Dismiss	1
M/for Leave to File Supplemental	1
M/Strike <b> M/Vacate Default	1
M/to Amend	1
M/to Set Aside Default	1
Motion: AMEND	2
Motion: CASE MANAGEMENT	1
Motion: COMPEL	3
Motion: DEFICIENCY JUDGMENT	1
Motion: DISMISS	17
Motion: Motion to Compel	1

# Senior Judge Docket from 8/16/2010 to 9/13/2010 - All hearings

Motion: Motion to Withdraw Counsel	1
Motion: SET ASIDE	1
Motion: STRIKE	3
Motion: SUMMARY JUDGEMENT	10
Motion: SUMMARY JUDGMENT FORECLOSURE	6
Motion: WITHDRAW	2
Objection to dropping count	1
Objection to Sale	1
Sub Party and MSJ	1
Sub Party Plaintiff and MSJ	3
Subparty Plaintiff and MSJ	1
Summary Judgment and Strike	1
to Dispense of Mediation	1
vACATE FJ AND CANCEL Sale AND RESCHEDULE	1
<b>Afternoon</b>	<b>69</b>
<b>Total For</b>	<b>8/19/2010</b>
	<b>138</b>

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**Calendar Date**      **8/20/2010**

**Judge: SENIOR JUDGE STARNES**

Motion: SUMMARY JUDGMENT FORECLOSURE	143
<b>Morning</b>	<b>143</b>
M/Correct Scrivener's Error <b> M/Summary Judgment	1
Motion: SUMMARY JUDGEMENT	1
Motion: SUMMARY JUDGMENT FORECLOSURE	133
<b>Afternoon</b>	<b>135</b>

**Judge: SENIOR JUDGE THOMPSON**

Evidentiary Hearing on Motion for Deficiency Judgment	1
Motion: DEFICIENCY JUDGMENT	1
Motion: QUASH	1
Strike Jury Trial Demand and Dismiss counter claims	1
<b>Morning</b>	<b>4</b>
Motion: ABATE	1
Motion: DEFAULT	1
Motion: DEFICIENCY JUDGMENT	4
Motion: SUMMARY JUDGEMENT	1
Strike affirmative defenses and to Strike Counter Claim	1
To Tax Cosex and Atty Fees	1
<b>Afternoon</b>	<b>9</b>
<b>Total For</b>	<b>8/20/2010</b>
	<b>291</b>

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**Calendar Date**      **8/23/2010**

**Judge: SENIOR JUDGE CIVIL DEP**

Issue Cert of Title	1
M/ Amend Cert of Title	1
M/ Issue Cert of Title	1
M/ Issue Writ	3
M/ Sub Counsel	1
M/ Transfer and Consolidate	1
M/Deficiency Judgment	1
M/for Deficiency Judgment	1
Mediation	1
Mo/Compel Mediation	1
Mo/Mediation	1
Motion and Final Judgment	1
Motion: COMPEL	3
Motion: CONTEMPT	1
Motion: DEFAULT	1
Motion: DISMISS	9
Motion: FINAL DEFAULT JUDGMENT	1

# Senior Judge Docket from 8/16/2010 to 9/13/2010 - All hearings

Motion: Motion to Compel		1
Motion: MOTION TO WITHDRAW		5
Motion: SET ASIDE		1
Motion: STRIKE		2
Motion: SUMMARY JUDGEMENT		15
Motion: SUMMARY JUDGMENT FORECLOSURE		13
Motion: WITHDRAW		1
Release Original Documents		1
Sub party and MSJ		3
Sub Party Plaintiff and MSJ		3
<b>Morning</b>	<b>74</b>	
Claim of Exemption		1
M/ Amend		2
M/ Atty fees and costs		1
M/ Case Mgmt Conference		1
M/ Issue Writ		1
M/ Reinstate		3
M/ SJ <b> Sub Plaintiff		1
M/ Stay and Extension of Time		1
M/ Sub Party		1
M/ Sub Plaintiff		1
M/ Writ of Possession		4
M/Amend		1
M/Deficiency Judgment		1
M/for Deficiency Judgment		3
M/for Order to Show Cause		1
Mo/Compel & Mo Case Management Conf		1
Motion: CASE MANAGEMENT CONFERENCE		1
Motion: COMPEL		1
Motion: DEFAULT		2
Motion: DISMISS		10
Motion: EXTEND TIME		2
Motion: Motion to Compel		3
Motion: MOTION TO WITHDRAW		2
Motion: Motion to Withdraw Counsel		3
Motion: STRIKE		4
Motion: SUMMARY JUDGMENT FORECLOSURE		6
Motion: VACATE		2
MSJ & Sub Plaintiff		1
MSJ <b> Sub Party		1
Partial Summary Judgment		1
<b>Afternoon</b>	<b>63</b>	
<b>Total For</b>	<b>8/23/2010</b>	<b>137</b>
<hr/>		
<b>Calendar Date</b>	<b>8/24/2010</b>	
<hr/>		
<b>Judge:</b>	<b>SENIOR JUDGE THOMPSON</b>	
Motion: DOCKET SOUNDING		91
<b>Morning</b>	<b>91</b>	
Motion: DOCKET SOUNDING		67
<b>Afternoon</b>	<b>67</b>	
<b>Total For</b>	<b>8/24/2010</b>	<b>158</b>
<hr/>		
<b>Calendar Date</b>	<b>8/25/2010</b>	
<hr/>		
<b>Judge:</b>	<b>SENIOR JUDGE THOMPSON</b>	
M/to Dismiss <b> M/to Transfer		1
<b>Morning</b>	<b>1</b>	
<b>Total For</b>	<b>8/25/2010</b>	<b>1</b>
<hr/>		
<b>Calendar Date</b>	<b>8/26/2010</b>	

# Senior Judge Docket from 8/16/2010 to 9/13/2010 - All hearings

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<b>Judge: SENIOR JUDGE THOMPSON</b>			
Motion: DOCKET SOUNDING			1
<b>Afternoon</b>	<b>1</b>		
<b>Total For</b>	<b>8/26/2010</b>		<b>1</b>

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<b>Calendar Date 8/27/2010</b>			
<b>Judge: SENIOR JUDGE THOMPSON</b>			
Motion: SUMMARY JUDGMENT FORECLOSURE			215
<b>Morning</b>	<b>215</b>		
Motion: SUMMARY JUDGMENT FORECLOSURE			170
<b>Afternoon</b>	<b>170</b>		
<b>Total For</b>	<b>8/27/2010</b>		<b>385</b>

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<b>Calendar Date 8/30/2010</b>			
<b>Judge: SENIOR JUDGE CIVIL DEP</b>			
for Case Management Conference			1
M/ Deficiency Judgment			1
M/ to Substitute			2
Mediation			1
Mo/Compel & Case Management			1
Motion: AMEND			1
Motion: DEFAULT			2
Motion: DISMISS			8
Motion: DOCKET SOUNDING			13
Motion: FINAL JUDGMENT			1
Motion: STRIKE			1
Motion: SUMMARY JUDGEMENT			3
Reinstate			20
Reopen file			1
Sub party and MSJ			13
To Reinstate			2
to Reopen			4
<b>Morning</b>	<b>75</b>		
Cross claims for FJ and Fees			6
Dismiss Counterclaim and leave to Amend Complaint			1
M/ Amend			1
M/ Issue Writ			5
M/ Referral to Mediation			1
M/ to Amend			2
M/ to Substitute Party			1
M/for Deficiency Judgment			1
M/Summary Judgment <b> M/Summary Judgment			2
M/to Set Aside Judgment <b> M/ to Amend Answer			1
Motion to Dismiss/ Strike Defenses/ Strike Demand and Squest			1
Motion: COMPEL			1
Motion: DISBURSE FUNDS			1
Motion: DISMISS			6
Motion: DOCKET SOUNDING			4
Motion: Motion to Compel			1
Motion: Motion to Withdraw Counsel			1
Motion: STRIKE			2
Motion: SUMMARY JUDGEMENT			14
Motion: SUMMARY JUDGMENT FORECLOSURE			4
Motion: VACATE			2
Motion: WITHDRAW			2
Objection to Foreclosure Sale			1
Reinstate			9
Strike and MSJ			1
Strike/Extention of Time/Strike Response			1

# Senior Judge Docket from 8/16/2010 to 9/13/2010 - All hearings

Sub Party and MSJ		1
Supplemental Proceedings		1
To Reinstate		1
<b>Afternoon</b>	<b>75</b>	
<b>Total For</b>	<b>8/30/2010</b>	<b>150</b>

**Calendar Date**      **8/31/2010**

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**Judge:**      **SENIOR JUDGE CIVIL DEP**

2nd Amended Motion for Case Managment	1
Case Management	2
Case Management	1
Compel and Case Mangement	1
Def Mo/Compel , Mo Deem Admissions Admitted, Mo/Compel, F	1
Dismiss discharge Les Pendens and return	1
Extend/Require Mediation	1
M/ Sub Plaintiff <b> Amend	18
M/ to Assign Bid	1
M/ Vacate <b> Reset Mediation	1
M/for Additional Advances	1
M/Set Aside Judgment	1
M/Sub Plaintiff <b> Amend	1
M/to Compel <b> M/to Strike	1
M/Writ of Possession	1
Motion: AMEND	1
Motion: COMPEL	2
Motion: DEFAULT	1
Motion: DISMISS	11
Motion: Motion to Compel	3
Motion: Motion to Withdraw Counsel	1
Motion: SUMMARY JUDGEMENT	3
Motion: SUMMARY JUDGMENT FORECLOSURE	3
MSJ and Motion to Drop	2
Objection and Protective Order	1
Return of Original Docs	1
Sub Party and MSJ	3
Sub Party Plaintiff and MSJ	8
To reinstate	1

**Morning**                      **74**

M/ Adjudication of Deficiency	1
M/ Amend	3
M/ Amend Plaintiffs Name	1
M/ Leave to Amend	1
M/ Rehearing, Relief from Judgment, Stay	1
M/ Withdraw Vol Dismissal	1
M/Amend	1
M/for Extension <b> M/for Mediation	1
M/for Mediation <b> M/Extension of Time	1
M/for Sunbstitution<b> M/for Summary Judgment	1
M/to Compel <b> M/to Abate	1
M/to Dismiss <b> M/to Withdraw	1
M/to Substitute	1
Mo/Extensio of Time	1
Mo/Leave to File Amended Complaint	1
Mo/Protective Order - Mo/Protective Order	1
Motion: DEFAULT	1
Motion: DEFICIENCY JUDGMENT	3
Motion: DISMISS	13
Motion: FINAL JUDGMENT	3
Motion: MOTION TO WITHDRAW	3
Motion: Motion to Withdraw Counsel	1
Motion: QUASH	1



# Senior Judge Docket from 8/16/2010 to 9/13/2010 - All hearings

Motion: SET ASIDE	1
Motion: STRIKE	2
Motion: SUMMARY JUDGEMENT	1
Motion: SUMMARY JUDGMENT FORECLOSURE	12
Motion: VACATE	2
MSJ, Mediation and Withdraw of Counsel	1
Reinstate Hearing	1
Strike and Dismiss Counter Claim	1
Strike Pleadings & OTSC for Sanctions to Reopen	1
<b>Afternoon</b>	<b>66</b>
<b>Total For</b>	<b>8/31/2010</b>
<b>140</b>	

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**Calendar Date**      **9/1/2010**

**Judge: SENIOR JUDGE STARNES**

M/ Appoint Guardian Ad Litem	1
M/ for Leave to file Amended Complaint	1
M/ Sub	3
M/ Sub Plaintiff	1
M/Compel <b> Def M/for Summary Judgment	1
M/for Deficiency Judgment	1
M/for Leave to file Amended Complaint	1
M/for Writ of Possession	2
M/Substitute <b> M/ Summary Judgment	1
M/Writ of Possession	1
Motion: AMEND	13
Motion: CASE MANAGEMENT CONFERENCE	2
Motion: DISBURSE FUNDS	3
Motion: DISMISS	30
Motion: MEDIATION	2
Motion: MOTION TO WITHDRAW	4
Motion: STRIKE	2
Motion: SUMMARY JUDGMENT FORECLOSURE	5
Writ of possession	1

**Morning**                      **75**

M/ Compel	2
M/Amend FJ	1
M/Compel	3
M/Compel & Strike	1
M/Deficiency Judgment	1
M/Order Directing Clerk to Amend	1
M/Rehearing & Reconsideration	1
M/Set Aside & Strike	1
M/Strike <b> M/Vacate Default	1
M/to Correct the Property Address	1
M/Writ of Possession	1
Motion: AMEND	5
Motion: CASE MANAGEMENT CONFERENCE	2
Motion: CONTINUE	1
Motion: DEFAULT	1
Motion: DISBURSE FUNDS	2
Motion: DISMISS	19
Motion: MOTION TO WITHDRAW	4
Motion: Motion to Withdraw Counsel	3
Motion: REHEARING	2
Motion: SET ASIDE	2
Motion: SUMMARY JUDGEMENT	2
Motion: SUMMARY JUDGMENT FORECLOSURE	14
Motion: VACATE	7
Objection to Sale	1

# Senior Judge Docket from 8/16/2010 to 9/13/2010 - All hearings

Calendar Date	9/2/2010	79	154
<b>Judge: SENIOR JUDGE STARNES</b>			
Abate and Compel Mediation			1
M/ Deficiency Judgment			1
M/ Disburse 3rd Party Funds			1
M/ Leave			1
M/ Writ of Possession			1
M/Amend Answer			1
M/Compel			3
M/Dismiss & Sub Party			1
M/Leave to file Amended Complaint			1
M/Objection to Sale <b> Vacate Default <b> Set Aside FJ			1
M/Order to Show Cause			1
M/Partial Judgment			1
M/Release Pending Sale			1
M/Relief from Judgment			1
M/Sub Plaintiff			1
M/Substitute <b> M/Vacate			1
M/Supplemental Proceedings <b> Redemption Rights			1
M/to Correct Scrivener's Error			1
M/Writ of Possession			6
Motion: AMEND			6
Motion: COMPEL			1
Motion: CONTEMPT			1
Motion: DEFAULT			1
Motion: DISBURSE FUNDS			1
Motion: DISMISS			5
Motion: MOTION TO WITHDRAW			5
Motion: Motion to Withdraw Counsel			5
Motion: SET ASIDE			1
Motion: SHOW CAUSE			5
Motion: STRIKE			2
Motion: SUMMARY JUDGMENT FORECLOSURE			3
Motion: VACATE			2
Objection to Sale			2
Scriveners Error			1
Termination of Right of Redemption			1
Writ of Possession			1
<b>Morning 69</b>			
M/ Dismiss & Strike			1
M/ for Leave to File Amended Complaint			1
M/Amend Answer			3
M/Clarification			1
M/Deficiency Judgment			2
M/Dismiss <b>Amend Plaintiffs name			1
M/Enlargement of Time <b> Protective Order			1
M/Extension of Time			1
M/Objection to Dropping Count			1
M/Objection to Sale			1
M/Rehearing			1
M/Rehearing <b> M/Set Aside FJ <b> Abate Sale <b> Mediator			1
M/Relief from Judgment			1
M/Return Original Note & Mortgage			1
M/Set Aside FJ <b> Mediation <B>Relief from Judgment and or			1
M/Strike <b> Writ of Possession			1
M/Strike Pleading <b> Default			1
M/Sub Party <b>Amend Case Style			1
Motion: AMEND			1

# Senior Judge Docket from 8/16/2010 to 9/13/2010 - All hearings

Motion: DISMISS	12
Motion: MOTION TO WITHDRAW	4
Motion: Motion to Withdraw Counsel	3
Motion: QUASH	1
Motion: SET ASIDE	1
Motion: STRIKE	2
Motion: SUMMARY JUDGEMENT	1
Motion: SUMMARY JUDGMENT FORECLOSURE	5
Motion: VACATE	1
Notice of Conflict	1
Objection to Sale	2
Objection to Sale <B> M/Vacate Sale <B>Stay Cert of Title	1

**Afternoon                    56**

**Total For                    9/2/2010                    125**

**Calendar Date            9/3/2010**

**Judge:            SENIOR JUDGE STARNES**

Motion: FINAL DEFAULT JUDGMENT	1
Motion: SUMMARY JUDGMENT FORECLOSURE	133
<b>Morning                    134</b>	
Motion: SUMMARY JUDGEMENT	1
Motion: SUMMARY JUDGMENT FORECLOSURE	19

**Afternoon                    20**

**Total For                    9/3/2010                    154**

**Calendar Date            9/7/2010**

**Judge:            SENIOR JUDGE STARNES**

Motion: DOCKET SOUNDING	95
<b>Morning                    95</b>	
Motion: DOCKET SOUNDING	90
<b>Afternoon                    90</b>	

**Total For                    9/7/2010                    185**

**Calendar Date            9/10/2010**

**Judge:            SENIOR JUDGE THOMPSON**

Motion: SUMMARY JUDGMENT FORECLOSURE	173
Pltf M/for Summary Judgment <b> Deft M/Summary Judgment	1
<b>Morning                    174</b>	
M/Cross Plaintiffs SJ	1
Motion: SUMMARY JUDGMENT	1
Motion: SUMMARY JUDGMENT FORECLOSURE	90

**Afternoon                    92**

**Total For                    9/10/2010                    266**

**Calendar Date            9/13/2010**

**Judge:            SENIOR JUDGE STARNES**

M/to Substitute <b> M/Summary Judgment	1
Motion: ABATE	1
Motion: DOCKET SOUNDING	73
Motion: SUMMARY JUDGMENT FORECLOSURE	1
<b>Morning                    76</b>	

Motion: DOCKET SOUNDING	82
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**Afternoon                    82**

**Total For                    9/13/2010                    158**

**Total cases From 8/16/2010 to 9/13/2010                    2,883**

**20TH CIR 04386**

Six week listing of all Senior Judge hearings sorted by motion

## Starnes, Hugh E

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**From:** Aloia, Nancy K  
**Sent:** Thursday, August 19, 2010 7:02 PM  
**To:** Carlin, John S.; McHugh, Michael; Starnes, Hugh E; Thompson, James; Diamond, Stella; Hawthorne, Amy; Freeman, Craig; Reduga, Scott; English, Sharon; Connor, Lori; Schifferl, Christine; Sauls, Sandi; Marinell, Amanda; Johnston, Linda; Golden, Diana; Hamsharie, Deborah; Thompson, Lucinda; Trammell, Cindy; Conderman, Ellen; Repperger, Kathryn; Dolson, Shannon; Kellum, Susan G  
**Subject:** Foreclosure dockets

Foreclosure dockets have been posted on our webpage. Parties may be referred to this webpage when inquiring about their case on the docket. This search will hit the JACS database at the time they run the docket inquiry. Dockets may be searched for the Senior Judges and Magistrates. Link provided below.

Shortcut to: <http://www.ca.cjis20.org/web/programs/forecloseinfo.asp>

Additional inquiries after the docket search is conducted may be made to myself or Sharon English. Our contact information is posted on the webpage. Please let me know if you are having any problems viewing the dockets.

Please note: The clerk's office provides the official docket for the courtroom. The official docket is numbered and run approximately 10-days prior to court. Thank you

**From:** Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>

**To:** Ederr, Suzanne

**CC:** Starnes, Hugh E

Aloia, Nancy K

McHugh, Michael

**Date:** 8/17/2010 12:57:18 PM

**Subject:**

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Suzanne-

An issue came up today at a meeting discussing foreclosure matters. We are receiving a lot of Stipulations to Substitute Counsel with Orders for our judges to sign. The volume is quite high. My question is do we have to sign these Orders or can the original stipulation filed in the court file end the matter? Thank you for researching this issue for us.

**From:** Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>

**To:** Aloia, Nancy K

**CC:** McHugh, Michael

**Date:** 8/17/2010 1:19:02 PM

**Subject:** ?FW: monthliseniorjudge (2).pdf - Adobe Reader

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If I am reading the schedule correctly, it looks like Judge Thompson has a total of 9 hearings on Aug. 20 and 1 hearing on August 25. Is this correct? If so, these two days might be good office days for him to sign Orders. Please advise if these numbers are correct. Thank you.

---

**From:** Aloia, Nancy K

**Sent:** Monday, August 16, 2010 1:59 PM

**To:** Carlin, John S.; McHugh, Michael

**Subject:** monthliseniorjudge (2).pdf - Adobe Reader

Hello

In response to your earlier email, I had the stat report run by Kim modified to pick up on all motion types. Here is a more accurate picture of what is happening with these dockets.

To-date: 3 trials set.

I will send over a breakdown of continued DS notices that went out via a separate spreadsheet. The Judges and Magistrates are case managing at the first DS so that is why you will see a higher #.

Thank you

# Senior Judge Docket from 8/16/2010 to 9/13/2010 - All hearings

**Calendar Date**      **8/16/2010**

**Judge:**      **SENIOR JUDGE THOMPSON**

Abate and Compel Mediation	1
Compel Mediation	1
Dismiss and Extension of Time	1
Dismiss and Objections on MSJ	1
M/ Amend Certificate of Title	1
M/ for Writ of Possession	1
M/Extension of Time <b> M/for Mediation	1
M/for Writ of Possession	1
M/Substitute <b> M/Summary Judgment	1
M/to Amend	2
M/to Correct Scrivener's Error	1
M/to Require Mediation	1
Motion to Reinstate	1
Motion: AMEND	1
Motion: COMPEL	1
Motion: DEFICIENCY JUDGMENT	4
Motion: DISMISS	10
Motion: EXTEND TIME	1
Motion: FINAL DEFAULT JUDGMENT	1
Motion: MOTION TO WITHDRAW	1
Motion: Motion to Withdraw Counsel	3
Motion: SET ASIDE	1
Motion: STRIKE	2
Motion: SUMMARY JUDGEMENT	7
Motion: SUMMARY JUDGMENT FORECLOSURE	5
Motion: VACATE	1
Motion: WITHDRAW	1
Objection to Dropping Count	2
Sanctions and to Strike	1
Set aside notice of dropping and to Reinstate unknown spouse &	1
Sub Party and MSJ	6
Sub Party Plaintiff and MSJ	2
to Reinstate	4
Writ of Possession	1
<b>Morning</b>	<b>70</b>
Compel Discovery and to Order Mediation	1
Def Motion for Mediation	1
Enlargement of Time	1
Extension of Time and to Stay	1
for Mediation	1
Judgment for pleadings or Strike and sanctions	1
M/ Substitute of Party Defendant	1
M/to Amend Answer	1
Mediation	1
Mo/Mediation	1
Mo/Sub APrtY Plaintiff - Mo.SJ	1
Mo/Sub PArty Plaintiff - Mo/Sj	1
Mo/Sub Party Plaintiff - Mo/Summary Judgment	1
Mo/Sub Party Plaintiff & Mo/Sumamry Judgment	1
Mo/Sub PArty Plaintiff & Mo/Summary Judgment	1
Motion: AMEND	1
Motion: DISMISS	12
Motion: FINAL JUDGMENT	7
Motion: Motion to Compel	1
Motion: REHEARING	1
Motion: SET ASIDE	1
Motion: SUBSTITUE PARTY PLAINTIFF	5
Motion: SUMMARY JUDGEMENT	9

**20TH CIR 04390**





# Senior Judge Docket from 8/16/2010 to 9/13/2010 - All hearings

OSC	1
Reinstate	1
Relief from Judgment	1
Sub Party and MSJ	1
to Reinstate	1

**Afternoon                      68**

**Total For                      8/17/2010                      140**

**Calendar Date                      8/18/2010**

**Judge:                      SENIOR JUDGE THOMPSON**

M/ Amended FJ	1
M/ for Leave to File	1
M/ for Writ of Possession	1
M/ to Amend	1
M/Amend Certificate of Title	1
M/Amend FSJ	1
M/for Leave to File	1
M/for Leave to file Amended Complaint	3
M/for Writ of Possession	2
M/Substitute Party	5
M/to Reinstate	1
M/to Reschedule Sale	1
M/Writ of Possession	2
Motion: AMEND	7
Motion: FINAL JUDGMENT	1
Motion: SUMMARY JUDGMENT FORECLOSURE	55
Motion: VACATE	5

**Morning                      89**

Amend	1
Case Management Conference	1
for Rehearing MSJ	1
M.Protective Order <b> M/to Strike	1
M/ Appoint Guardian at Litem	1
M/ Leave to file Reply	1
M/ Partial SJ	1
M/ Reopen	1
M/ Reset Sale & Dispurse	1
M/ Sub Plaintiff	3
M/ to Amend	2
M/ to Substitute	1
M/ Writ of Possession	1
M/Amend	1
M/Amend Answer	1
M/for Leave to file Amended Answer	1
M/for Writ of Possession	2
M/Substitute <b> M/Summary Judgment	2
M/to Amend <b> M/to Substitute	1
M/to Compel Mediation <b> M/to Vacate FJ	1
M/to Reinstate	1
M/to Reset Sale	1
M/to Substitute	1
M/to Substitute Party	1
M/to Substitute Party <b> M/for Summary Judgment	1
MO/ComeplDiscovery /log	1
Mo/Dismiss CounterClaim - Pl. Mo/Compel- Def Mo/Dismiss	1
Mo/Strike - Mo/Summary Judgment	1
Motion: AMEND	1
Motion: DEFAULT	1
Motion: DISMISS	6
Motion: EXTEND TIME	1
Motion: Motion to Compel	3

# Senior Judge Docket from 8/16/2010 to 9/13/2010 - All hearings

Motion: Motion to Withdraw Counsel	6
Motion: SET ASIDE	1
Motion: STRIKE	3
Motion: SUBSTITUE PARTY PLAINTIFF	2
Motion: SUMMARY JUDGMENT FORECLOSURE	12
Motion: VACATE	2
Objection to Sale	1
Relief and Objection to Sale	1

**Afternoon** 73

**Total For** 8/18/2010 162

**Calendar Date** 8/19/2010

**Judge: SENIOR JUDGE THOMPSON**

Amend and Dismiss	1
Compel and Dismiss counterclaim	1
Correct Scriverners Error and MSJ	1
Discovery Objections and MSJ	1
Extended time to respond to Discovery	1
M/ Amend	3
M/ Dismiss <b> Vacate Default	1
M/ Stop Foreclosure sale	1
M/ Writ of Possession	1
M/for Deficiency Judgment	1
M/for Leave to Amend	1
M/Substitute <b> M/Summary Judgment	6
M/Substitute <b> M/Summary Judgment	1
M/to Amend FJ and Reset Sale Date	1
Mo/Extension of time	1
Mo/Mediation	1
Motion: AMEND	2
Motion: COMPEL	2
Motion: DISMISS	11
Motion: Motion to Compel	1
Motion: MOTION TO WITHDRAW	1
Motion: Motion to Withdraw Counsel	2
Motion: STRIKE	1
Motion: SUBSTITUE PARTY PLAINTIFF	4
Motion: SUMMARY JUDGEMENT	7
Motion: SUMMARY JUDGMENT FORECLOSURE	1
Motion: VACATE	1
MSJ & M/Drop Party	1
Sub Party and MSJ	2
Sub Party Plaintiff and MSJ	10

**Morning** 69

M/ Award atty fees & costs	1
M/ Deficiency Judgment	1
M/ Issue Writ	1
M/ Sub Plaintiff	1
M/ to Substitute	1
M/ Vacate <b> Set Aside Judgment	1
M/ Vacate FJ <b> Dismiss	1
M/for Leave to File Supplemental	1
M/Strike <b> M/Vacate Default	1
M/to Amend	1
M/to Set Aside Default	1
Motion: AMEND	2
Motion: CASE MANAGEMENT	1
Motion: COMPEL	3
Motion: DEFICIENCY JUDGMENT	1
Motion: DISMISS	17
Motion: Motion to Compel	1

# Senior Judge Docket from 8/16/2010 to 9/13/2010 - All hearings

Motion: Motion to Withdraw Counsel	1
Motion: SET ASIDE	1
Motion: STRIKE	3
Motion: SUMMARY JUDGEMENT	10
Motion: SUMMARY JUDGMENT FORECLOSURE	6
Motion: WITHDRAW	2
Objection to dropping count	1
Objection to Sale	1
Sub Party and MSJ	1
Sub Party Plaintiff and MSJ	3
Subparty Plaintiff and MSJ	1
Summary Judgment and Strike	1
to Dispense of Mediation	1
vACATE FJ AND CANCEL Sale AND RESCHEDULE	1
<b>Afternoon</b>	<b>69</b>
<b>Total For</b>	<b>8/19/2010</b>
	<b>138</b>

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**Calendar Date**      **8/20/2010**

**Judge: SENIOR JUDGE STARNES**

Motion: SUMMARY JUDGMENT FORECLOSURE	143
<b>Morning</b>	<b>143</b>
M/Correct Scrivener's Error <b> M/Summary Judgment	1
Motion: SUMMARY JUDGEMENT	1
Motion: SUMMARY JUDGMENT FORECLOSURE	133
<b>Afternoon</b>	<b>135</b>

**Judge: SENIOR JUDGE THOMPSON**

Evidentiary Hearing on Motion for Deficiency Judgment	1
Motion: DEFICIENCY JUDGMENT	1
Motion: QUASH	1
Strike Jury Trial Demand and Dismiss counter claims	1
<b>Morning</b>	<b>4</b>
Motion: ABATE	1
Motion: DEFAULT	1
Motion: DEFICIENCY JUDGMENT	4
Motion: SUMMARY JUDGEMENT	1
Strike affirmative defenses and to Strike Counter Claim	1
To Tax Cosex and Atty Fees	1
<b>Afternoon</b>	<b>9</b>
<b>Total For</b>	<b>8/20/2010</b>
	<b>291</b>

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**Calendar Date**      **8/23/2010**

**Judge: SENIOR JUDGE CIVIL DEP**

Issue Cert of Title	1
M/ Amend Cert of Title	1
M/ Issue Cert of Title	1
M/ Issue Writ	3
M/ Sub Counsel	1
M/ Transfer and Consolidate	1
M/Deficiency Judgment	1
M/for Deficiency Judgment	1
Mediation	1
Mo/Compel Mediation	1
Mo/Mediation	1
Motion and Final Judgment	1
Motion: COMPEL	3
Motion: CONTEMPT	1
Motion: DEFAULT	1
Motion: DISMISS	9
Motion: FINAL DEFAULT JUDGMENT	1

# Senior Judge Docket from 8/16/2010 to 9/13/2010 - All hearings

Motion: Motion to Compel		1
Motion: MOTION TO WITHDRAW		5
Motion: SET ASIDE		1
Motion: STRIKE		2
Motion: SUMMARY JUDGEMENT		15
Motion: SUMMARY JUDGMENT FORECLOSURE		13
Motion: WITHDRAW		1
Release Original Documents		1
Sub party and MSJ		3
Sub Party Plaintiff and MSJ		3
<b>Morning</b>	<b>74</b>	
Claim of Exemption		1
M/ Amend		2
M/ Atty fees and costs		1
M/ Case Mgmt Conference		1
M/ Issue Writ		1
M/ Reinstate		3
M/ SJ <b> Sub Plaintiff		1
M/ Stay and Extension of Time		1
M/ Sub Party		1
M/ Sub Plaintiff		1
M/ Writ of Possession		4
M/Amend		1
M/Deficiency Judgment		1
M/for Deficiency Judgment		3
M/for Order to Show Cause		1
Mo/Compel & Mo Case Management Conf		1
Motion: CASE MANAGEMENT CONFERENCE		1
Motion: COMPEL		1
Motion: DEFAULT		2
Motion: DISMISS		10
Motion: EXTEND TIME		2
Motion: Motion to Compel		3
Motion: MOTION TO WITHDRAW		2
Motion: Motion to Withdraw Counsel		3
Motion: STRIKE		4
Motion: SUMMARY JUDGMENT FORECLOSURE		6
Motion: VACATE		2
MSJ & Sub Plaintiff		1
MSJ <b> Sub Party		1
Partial Summary Judgment		1
<b>Afternoon</b>	<b>63</b>	
<b>Total For</b>	<b>8/23/2010</b>	<b>137</b>
<hr/>		
<b>Calendar Date</b>	<b>8/24/2010</b>	
<hr/>		
<b>Judge:</b>	<b>SENIOR JUDGE THOMPSON</b>	
Motion: DOCKET SOUNDING		91
<b>Morning</b>	<b>91</b>	
Motion: DOCKET SOUNDING		67
<b>Afternoon</b>	<b>67</b>	
<b>Total For</b>	<b>8/24/2010</b>	<b>158</b>
<hr/>		
<b>Calendar Date</b>	<b>8/25/2010</b>	
<hr/>		
<b>Judge:</b>	<b>SENIOR JUDGE THOMPSON</b>	
M/to Dismiss <b> M/to Transfer		1
<b>Morning</b>	<b>1</b>	
<b>Total For</b>	<b>8/25/2010</b>	<b>1</b>
<hr/>		
<b>Calendar Date</b>	<b>8/26/2010</b>	

# Senior Judge Docket from 8/16/2010 to 9/13/2010 - All hearings

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<b>Judge: SENIOR JUDGE THOMPSON</b>			
Motion: DOCKET SOUNDING			1
<b>Afternoon</b>		<b>1</b>	
<b>Total For</b>	<b>8/26/2010</b>		<b>1</b>

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<b>Calendar Date 8/27/2010</b>			
<b>Judge: SENIOR JUDGE THOMPSON</b>			
Motion: SUMMARY JUDGMENT FORECLOSURE			215
<b>Morning</b>		<b>215</b>	
Motion: SUMMARY JUDGMENT FORECLOSURE			170
<b>Afternoon</b>		<b>170</b>	
<b>Total For</b>	<b>8/27/2010</b>		<b>385</b>

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<b>Calendar Date 8/30/2010</b>			
<b>Judge: SENIOR JUDGE CIVIL DEP</b>			
for Case Management Conference			1
M/ Deficiency Judgment			1
M/ to Substitute			2
Mediation			1
Mo/Compel & Case Management			1
Motion: AMEND			1
Motion: DEFAULT			2
Motion: DISMISS			8
Motion: DOCKET SOUNDING			13
Motion: FINAL JUDGMENT			1
Motion: STRIKE			1
Motion: SUMMARY JUDGEMENT			3
Reinstate			20
Reopen file			1
Sub party and MSJ			13
To Reinstate			2
to Reopen			4
<b>Morning</b>		<b>75</b>	
Cross claims for FJ and Fees			6
Dismiss Counterclaim and leave to Amend Complaint			1
M/ Amend			1
M/ Issue Writ			5
M/ Referral to Mediation			1
M/ to Amend			2
M/ to Substitute Party			1
M/for Deficiency Judgment			1
M/Summary Judgment <b> M/Summary Judgment			2
M/to Set Aside Judgment <b> M/ to Amend Answer			1
Motion to Dismiss/ Strike Defenses/ Strike Demand and Squest			1
Motion: COMPEL			1
Motion: DISBURSE FUNDS			1
Motion: DISMISS			6
Motion: DOCKET SOUNDING			4
Motion: Motion to Compel			1
Motion: Motion to Withdraw Counsel			1
Motion: STRIKE			2
Motion: SUMMARY JUDGEMENT			14
Motion: SUMMARY JUDGMENT FORECLOSURE			4
Motion: VACATE			2
Motion: WITHDRAW			2
Objection to Foreclosure Sale			1
Reinstate			9
Strike and MSJ			1
Strike/Extention of Time/Strike Response			1

# Senior Judge Docket from 8/16/2010 to 9/13/2010 - All hearings

Sub Party and MSJ		1
Supplemental Proceedings		1
To Reinstate		1
<b>Afternoon</b>	<b>75</b>	
<b>Total For</b>	<b>8/30/2010</b>	<b>150</b>

**Calendar Date**      **8/31/2010**

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**Judge:**      **SENIOR JUDGE CIVIL DEP**

2nd Amended Motion for Case Managment	1
Case Management	2
Case Management	1
Compel and Case Mangement	1
Def Mo/Compel , Mo Deem Admissions Admitted, Mo/Compel, F	1
Dismiss discharge Les Pendens and return	1
Extend/Require Mediation	1
M/ Sub Plaintiff <b> Amend	18
M/ to Assign Bid	1
M/ Vacate <b> Reset Mediation	1
M/for Additional Advances	1
M/Set Aside Judgment	1
M/Sub Plaintiff <b> Amend	1
M/to Compel <b> M/to Strike	1
M/Writ of Possession	1
Motion: AMEND	1
Motion: COMPEL	2
Motion: DEFAULT	1
Motion: DISMISS	11
Motion: Motion to Compel	3
Motion: Motion to Withdraw Counsel	1
Motion: SUMMARY JUDGEMENT	3
Motion: SUMMARY JUDGMENT FORECLOSURE	3
MSJ and Motion to Drop	2
Objection and Protective Order	1
Return of Original Docs	1
Sub Party and MSJ	3
Sub Party Plaintiff and MSJ	8
To reinstate	1

**Morning**                      **74**

M/ Adjudication of Deficiency	1
M/ Amend	3
M/ Amend Plaintiffs Name	1
M/ Leave to Amend	1
M/ Rehearing, Relief from Judgment, Stay	1
M/ Withdraw Vol Dismissal	1
M/Amend	1
M/for Extension <b> M/for Mediation	1
M/for Mediation <b> M/Extension of Time	1
M/for Sunbstitution<b> M/for Summary Judgment	1
M/to Compel <b> M/to Abate	1
M/to Dismiss <b> M/to Withdraw	1
M/to Substitute	1
Mo/Extensio of Time	1
Mo/Leave to File Amended Complaint	1
Mo/Protective Order - Mo/Protective Order	1
Motion: DEFAULT	1
Motion: DEFICIENCY JUDGMENT	3
Motion: DISMISS	13
Motion: FINAL JUDGMENT	3
Motion: MOTION TO WITHDRAW	3
Motion: Motion to Withdraw Counsel	1
Motion: QUASH	1

# Senior Judge Docket from 8/16/2010 to 9/13/2010 - All hearings

Motion: SET ASIDE	1
Motion: STRIKE	2
Motion: SUMMARY JUDGEMENT	1
Motion: SUMMARY JUDGMENT FORECLOSURE	12
Motion: VACATE	2
MSJ, Mediation and Withdraw of Counsel	1
Reinstate Hearing	1
Strike and Dismiss Counter Claim	1
Strike Pleadings & OTSC for Sanctions to Reopen	1
<b>Afternoon</b>	<b>66</b>
<b>Total For</b>	<b>8/31/2010</b>
<b>Calendar Date</b>	<b>9/1/2010</b>
<b>Calendar Date</b>	<b>9/1/2010</b>

**Judge: SENIOR JUDGE STARNES**

M/ Appoint Guardian Ad Litem	1
M/ for Leave to file Amended Complaint	1
M/ Sub	3
M/ Sub Plaintiff	1
M/Compel <b> Def M/for Summary Judgment	1
M/for Deficiency Judgment	1
M/for Leave to file Amended Complaint	1
M/for Writ of Possession	2
M/Substitute <b> M/ Summary Judgment	1
M/Writ of Possession	1
Motion: AMEND	13
Motion: CASE MANAGEMENT CONFERENCE	2
Motion: DISBURSE FUNDS	3
Motion: DISMISS	30
Motion: MEDIATION	2
Motion: MOTION TO WITHDRAW	4
Motion: STRIKE	2
Motion: SUMMARY JUDGMENT FORECLOSURE	5
Writ of possession	1

**Morning 75**

M/ Compel	2
M/Amend FJ	1
M/Compel	3
M/Compel & Strike	1
M/Deficiency Judgment	1
M/Order Directing Clerk to Amend	1
M/Rehearing & Reconsideration	1
M/Set Aside & Strike	1
M/Strike <b> M/Vacate Default	1
M/to Correct the Property Address	1
M/Writ of Possession	1
Motion: AMEND	5
Motion: CASE MANAGEMENT CONFERENCE	2
Motion: CONTINUE	1
Motion: DEFAULT	1
Motion: DISBURSE FUNDS	2
Motion: DISMISS	19
Motion: MOTION TO WITHDRAW	4
Motion: Motion to Withdraw Counsel	3
Motion: REHEARING	2
Motion: SET ASIDE	2
Motion: SUMMARY JUDGEMENT	2
Motion: SUMMARY JUDGMENT FORECLOSURE	14
Motion: VACATE	7
Objection to Sale	1

# Senior Judge Docket from 8/16/2010 to 9/13/2010 - All hearings

Calendar Date	9/2/2010	79	154
<b>Judge: SENIOR JUDGE STARNES</b>			
Abate and Compel Mediation			1
M/ Deficiency Judgment			1
M/ Disburse 3rd Party Funds			1
M/ Leave			1
M/ Writ of Possession			1
M/Amend Answer			1
M/Compel			3
M/Dismiss & Sub Party			1
M/Leave to file Amended Complaint			1
M/Objection to Sale <b> Vacate Default <b> Set Aside FJ			1
M/Order to Show Cause			1
M/Partial Judgment			1
M/Release Pending Sale			1
M/Relief from Judgment			1
M/Sub Plaintiff			1
M/Substitute <b> M/Vacate			1
M/Supplemental Proceedings <b> Redemption Rights			1
M/to Correct Scrivener's Error			1
M/Writ of Possession			6
Motion: AMEND			6
Motion: COMPEL			1
Motion: CONTEMPT			1
Motion: DEFAULT			1
Motion: DISBURSE FUNDS			1
Motion: DISMISS			5
Motion: MOTION TO WITHDRAW			5
Motion: Motion to Withdraw Counsel			5
Motion: SET ASIDE			1
Motion: SHOW CAUSE			5
Motion: STRIKE			2
Motion: SUMMARY JUDGMENT FORECLOSURE			3
Motion: VACATE			2
Objection to Sale			2
Scriveners Error			1
Termination of Right of Redemption			1
Writ of Possession			1
<b>Morning 69</b>			
M/ Dismiss & Strike			1
M/ for Leave to File Amended Complaint			1
M/Amend Answer			3
M/Clarification			1
M/Deficiency Judgment			2
M/Dismiss <b>Amend Plaintiffs name			1
M/Enlargement of Time <b> Protective Order			1
M/Extension of Time			1
M/Objection to Dropping Count			1
M/Objection to Sale			1
M/Rehearing			1
M/Rehearing <b> M/Set Aside FJ <b> Abate Sale <b> Mediator			1
M/Relief from Judgment			1
M/Return Original Note & Mortgage			1
M/Set Aside FJ <b> Mediation <B>Relief from Judgment and or			1
M/Strike <b> Writ of Possession			1
M/Strike Pleading <b> Default			1
M/Sub Party <b>Amend Case Style			1
Motion: AMEND			1



# Senior Judge Docket from 8/16/2010 to 9/13/2010 - All hearings

Motion: DISMISS	12
Motion: MOTION TO WITHDRAW	4
Motion: Motion to Withdraw Counsel	3
Motion: QUASH	1
Motion: SET ASIDE	1
Motion: STRIKE	2
Motion: SUMMARY JUDGEMENT	1
Motion: SUMMARY JUDGMENT FORECLOSURE	5
Motion: VACATE	1
Notice of Conflict	1
Objection to Sale	2
Objection to Sale <B> M/Vacate Sale <B>Stay Cert of Title	1

**Afternoon                      56**

**Total For                      9/2/2010                      125**

**Calendar Date                      9/3/2010**

**Judge:                      SENIOR JUDGE STARNES**

Motion: FINAL DEFAULT JUDGMENT	1
Motion: SUMMARY JUDGMENT FORECLOSURE	133
<b>Morning</b>	<b>134</b>
Motion: SUMMARY JUDGEMENT	1
Motion: SUMMARY JUDGMENT FORECLOSURE	19

**Afternoon                      20**

**Total For                      9/3/2010                      154**

**Calendar Date                      9/7/2010**

**Judge:                      SENIOR JUDGE STARNES**

Motion: DOCKET SOUNDING	95
<b>Morning</b>	<b>95</b>
Motion: DOCKET SOUNDING	90
<b>Afternoon</b>	<b>90</b>

**Total For                      9/7/2010                      185**

**Calendar Date                      9/10/2010**

**Judge:                      SENIOR JUDGE THOMPSON**

Motion: SUMMARY JUDGMENT FORECLOSURE	173
Pltf M/for Summary Judgment <b> Deft M/Summary Judgment	1
<b>Morning</b>	<b>174</b>
M/Cross Plaintiffs SJ	1
Motion: SUMMARY JUDGMENT	1
Motion: SUMMARY JUDGMENT FORECLOSURE	90

**Afternoon                      92**

**Total For                      9/10/2010                      266**

**Calendar Date                      9/13/2010**

**Judge:                      SENIOR JUDGE STARNES**

M/to Substitute <b> M/Summary Judgment	1
Motion: ABATE	1
Motion: DOCKET SOUNDING	73
Motion: SUMMARY JUDGMENT FORECLOSURE	1
<b>Morning</b>	<b>76</b>

Motion: DOCKET SOUNDING	82
<b>Afternoon</b>	<b>82</b>

**Total For                      9/13/2010                      158**

**Total cases From 8/16/2010 to 9/13/2010                      2,883**

**20TH CIR 04400**

Six week listing of all Senior Judge hearings sorted by motion

**From:** Jill M. Lennon <[Jill.Lennon@collierclerk.com](mailto:Jill.Lennon@collierclerk.com)>

**To:** Mravic, Deborah

**CC:** Pedrotty, Jodi

Metcalf, Jan

Pivacek, Cynthia

Hayes, Hugh

Middlebrook, Mark

**Date:** 8/17/2010 3:29:06 PM

**Subject:** ?RE: Foreclosure Order

---

I will let them know.

Jill

From: Mravic, Deborah [mailto:[DMravic@CA.CJIS20.ORG](mailto:DMravic@CA.CJIS20.ORG)]

Sent: Tuesday, August 17, 2010 4:27 PM

To: Jill M. Lennon

Cc: Pedrotty, Jodi; Jan Metcalf - JA Judge Hugh Hayes; Pivacek, Cynthia; Hugh Hayes - Circuit Judge; Middlebrook, Mark

Subject: Foreclsoure Order

Jill

Could you direct the Foreclosure clerks to send all Foreclosure paperwork, orders etc. to the Senior Judge office on 3rd floor chambers (Judge Martin's old chambers!)?? The Senior judge will review and sign all orders for Judge Pivacek and Hayes.

Please let me know if you have any questions.

Debbie Mravic

Program Coordinator - Family Court

3301 Tamiami Trail East, Naples, FL 34112

239-252-2603

[dmravic@ca.cjis20.org](mailto:dmravic@ca.cjis20.org)

20TH CIR 04401

11\_29\_2010

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**From:** Mravic, Deborah </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=DMRAVIC>

**To:** Lennon, Jill

**CC:** Pedrotty, Jodi

Metcalfe, Jan

Pivacek, Cynthia

Hayes, Hugh

Middlebrook, Mark

**Date:** 8/17/2010 3:26:32 PM

**Subject:** Foreclsoure Order

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Jill

Could you direct the Foreclosure clerks to send all Foreclosure paperwork, orders etc. to the Senior Judge office on 3rd floor chambers (Judge Martin's old chambers!)?? The Senior judge will review and sign all orders for Judge Pivacek and Hayes.

Please let me know if you have any questions.

Debbie Mravic  
Program Coordinator - Family Court  
3301 Tamiami Trail East, Naples, FL 34112  
239-252-2603  
dmravic@ca.cjis20.org

**From:** Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>

**To:** Aloia, Nancy K

**CC:**

**Date:** 8/18/2010 12:54:30 PM

**Subject:** ?RE:

---

I apologize again for my lack of communication. Penelope has nothing to do with the schedule that we create for November and December. I want to finalize a schedule and then we will see which Senior Judge is available. If both Judges Starnes and Thompson are not available, we have others who have agreed to help us with foreclosures. This is how we always schedule Senior Judges for all divisions. I also think that weekly office time needs to be scheduled for both Judge Starnes and Judge Thompson. There are certainly some modifications that can be made regarding signing that will ease the burden if Judge Starnes and Judge Thompson agree. We can talk more about these ideas on Friday. Thanks for all of your help and I will see you Friday.

---

**From:** Aloia, Nancy K

**Sent:** Wednesday, August 18, 2010 1:49 PM

**To:** Carlin, John S.

**Subject:** RE:

I am available this Friday at 3:30pm and will come to your office. Since Nov/Dec are holiday months- I was checking to see if Penelope was aware of any dates to avoid before trying to establishing the next calendar. I will email you a draft tomorrow or earlier if I hear from Penelope before then. I will not be asking her to secure coverage until we speak and you approve.

I have been monitoring the progress of the dockets to determine how many DS to schedule. Our observation is that with the present set-up requiring the Senior Judges to review and sign on the same day they are scheduled for court may be too much for them. I am observing signs of exhaustion by the Senior Judges with the 10-12 hour days. The additional factor considered is the # of cases continued to these existing DS dates. Using the formula below appears to be ideal:  
Judges -75 in the morning and 75 in the afternoon. Magistrate- 60 in the morning and 60 in the afternoon.

If we factor additional office days we may be able to increase the numbers but I did not get the impression at yesterday's meeting that they wanted to put in more time. It has not been said but I am concerned they may not want to continue at this pace. Judge Starnes has been coming through to help Judge Thompson this week since it is his day to sign since he is covering the contested hearing foreclosure dockets. Judge Starnes was covering another court and finished early but he was still here until 6:45. Judge Thompson did not finish until 4:30 and came through to begin signing.  
I hope my observations help. I would recommend keeping the formula until we change plans.

---

**From:** Carlin, John S.

**Sent:** Wednesday, August 18, 2010 1:01 PM

**To:** Aloia, Nancy K

**Subject:** RE:

Thanks for your prompt response. I apologize for the confusion that my below email caused. I am requesting that you provide to me a draft schedule for November and December for the Senior Judges and Magistrates similar to the one that I sent to you on July 7. I would appreciate seeing the dates, events and number of cases being set per court session as outlined in the July 7 email. Then, I would like to meet with you Friday afternoon to discuss this draft. Once we finalize the November and December schedules, I will contact Penelope to schedule the Senior Judges as needed. As you prepare this draft for our discussion, I am interested in how many hearing days you think that we need for November and December based upon how well we are filling the hearing times in August, September and October. I also want to finalize this schedule this week so that we can begin noticing these docket sounding dates to give the parties at least 60 days before the docket sounding which increases their lead time to allow for a SJ Motion to be filed. Please email me the draft schedule tomorrow so that I have time to review prior to our Friday meeting. Are you available Friday around 3:30? Thanks, Nancy.

---

**From:** Aloia, Nancy K

**Sent:** Tuesday, August 17, 2010 4:53 PM

**To:** Carlin, John S.

20TH CIR 04404

**Subject:** RE:

---

The Magistrate calendar has been completed. I will get with Penelope on dates available for use for the Snr judges.

**From:** Carlin, John S.

**Sent:** Tuesday, August 17, 2010 2:05 PM

**To:** Aloia, Nancy K

**Subject:**

Nancy-

As a follow up to our meeting, can you send to me a draft schedule for November and December for the Senior Judges and Magistrates? Since our goal is to give 60 days notice for the docket soundings, I would appreciate having this schedule on Thursday so we can discuss and finalize this week. Also, please speak further with Judge Starnes and Judge Thompson and let me know where they would like to add office time to the August, September and October schedules and how they would like to schedule office days for November and December. I will get with Judge McHugh on the new Order that we will be using for docket soundings. Please let me know if there is anything that you need for me to do regarding foreclosures. Thanks, Nancy.

**From:** Aloia, Nancy K </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=NKW2884>

**To:** Carlin, John S.

McHugh, Michael

Starnes, Hugh E

Thompson, James

Diamond, Stella

Hawthorne, Amy

Freeman, Craig

Reduga, Scott

English, Sharon

Connor, Lori

Schifferl, Christine

Sauls, Sandi

Marinell, Amanda

Johnston, Linda

Golden, Diana

Hamsharie, Deborah

Thompson, Lucinda

Trammell, Cindy

Conderman, Ellen

Repperger, Kathryn

Dolson, Shannon

Kellum, Susan G

**CC:**

**Date:** 8/19/2010 6:02:16 PM

**Subject:** Foreclosure dockets

**Attachments:** [forecloseinfo.url](http://forecloseinfo.url)

---

Foreclosure dockets have been posted on our webpage. Parties may be referred to this webpage when inquiring about their case on the docket. This search will hit the JACS database at the time they run the docket inquiry. Dockets may be searched for the Senior Judges and Magistrates. Link provided below.

Shortcut to: <http://www.ca.cjis20.org/web/programs/forecloseinfo.asp>

Additional inquiries after the docket search is conducted may be made to myself or Sharon English. Our contact information is posted on the webpage. Please let me know if you are having any problems viewing the dockets.

Please note: The clerk's office provides the official docket for the courtroom. The official docket is numbered and run approximately 10-days prior to court. Thank you

**From:** Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>

**To:** Sauls, Sandi

McHugh, Michael

**CC:** Aloia, Nancy K

**Date:** 8/19/2010 3:00:54 PM

**Subject:** ?RE: Orders to Cancel sales

---

Just a point of clarification. I wanted the civil judges input to make sure that they agreed that they would sign any Order to Cancel sale that are presented to them the day before the sale and they would have to sign it by 2:00 to get the next day sale cancelled. The Senior Judges are signing all other foreclosure orders but we can't guarantee this quick of a turn around by a Senior Judge as they typically spend most of the day in court and sign at the end of the day which would be too late to cancel the next day sale. I know that people do take vacations, attend conferences so we could have a system where they covered for each other and I would also be willing to sign these if someone was not available. Mike, do you think this is reasonable or do you have any other thoughts?

---

**From:** Sandi Sauls [mailto:ssauls@leeclerk.org]

**Sent:** Thursday, August 19, 2010 3:45 PM

**To:** McHugh, Michael

**Cc:** Carlin, John S.; Aloia, Nancy K

**Subject:** Orders to Cancel sales

If we receive an untimely Motion and Order to Cancel a (Foreclosure) Sale, may we return the pleadings to the attorney (with their \$50 reopen fee)? If yes, then the question is the definition of untimely. After talking to Judge Carlin we thought untimely could be any time after 10:00AM the day before the sale because we would have difficulty getting the Order to the Judge and having it returned to us in time to perform the cancellation process. Judge Carlin said we needed the Circuit Civil Judges approval before we could act on this. Also there may be "emergency" situations that need to be dealt with somehow. My only interest in this is to reduce the unnecessary paperwork for both the Judges and clerk. It may not even be a problem, but I have come to expect very little from the foreclosure mills. Could you possibly get a "ruling" from the Civil Judges on this if you think it has any merit? Thank you.

Thank you,

Sandi C Sauls  
Civil Division Manager  
239-533-9188

Florida has a very broad Public Records Law. Most written communications to or from State and Local Officials regarding State or Local business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.



**From:** Sandi Sauls <ssauls@leeclerk.org>

**To:** McHugh, Michael

**CC:** Carlin, John S.

Aloia, Nancy K

**Date:** 8/19/2010 2:45:16 PM

**Subject:** Orders to Cancel sales

---

If we receive an untimely Motion and Order to Cancel a (Foreclosure) Sale, may we return the pleadings to the attorney (with their \$50 reopen fee)? If yes, then the question is the definition of untimely. After talking to Judge Carlin we thought untimely could be any time after 10:00AM the day before the sale because we would have difficulty getting the Order to the Judge and having it returned to us in time to perform the cancellation process. Judge Carlin said we needed the Circuit Civil Judges approval before we could act on this. Also there may be "emergency" situations that need to be dealt with somehow. My only interest in this is to reduce the unnecessary paperwork for both the Judges and clerk. It may not even be a problem, but I have come to expect very little from the foreclosure mills. Could you possibly get a "ruling" from the Civil Judges on this if you think it has any merit? Thank you.

Thank you,

Sandi C Sauls  
Civil Division Manager  
239-533-9188

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20TH CIR 04408

12\_2\_2010

From: [Aloia, Nancy K </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=NKW2884>](mailto:Aloia.Nancy.K@SAO20.OU=CACJIS/CN=RECIPIENTS/CN=NKW2884)

To: [Thompson, James](mailto:Thompson, James)

CC: [McHugh, Michael](mailto:McHugh, Michael)

[Carlin, John S.](mailto:Carlin, John S.)

[Rose, Penelope](mailto:Rose, Penelope)

[English, Sharon](mailto:English, Sharon)

[Johnston, Linda](mailto:Johnston, Linda)

Date: 8/2/2010 11:53:58 AM

Subject: FW: Foreclosure ???

Hello Judge Thompson,

**Fla. R. Court 2.420 (case specific)**

I will handle the Notices for Trial. If you receive in the future you can just forward to me and I will take care of scheduling.

There are 3 cases requesting an OSC date (one of the cases you listed below). The process being used by the law firm is a little unusual so I will check with Judge McHugh to establish procedure. I have already been in contact with the legal assistant regarding this case. I will also take care of scheduling.

I will contact Stern Law firm to make sure they do not send their packets to you directly and remind them that they must bring to the hearing.

We have only 5 matters pending right now in the foreclosure bin so the items below may have already been signed by Judge Starnes. I will check with Scott in the morning when he returns to the office for follow-up on the remaining cases. Please let me know when you are back in the office so we can meet with Judge McHugh.

Thank you

From: Carlin, John S.

Sent: Thursday, July 29, 2010 4:32 PM

To: Thompson, James; Rose, Penelope; Aloia, Nancy K; English, Sharon; Johnston, Linda

Cc: Starnes, Hugh E

Subject: Re: Foreclosure ???

Jim,

**Fla. R. Court 2.420 (case specific)**

I am copying Nancy Aloia with this email and would appreciate Nancy meeting with you along with Judge McHugh if he is available asap. Notices for Trial should be set for a docket sounding and Nancy has these dates. She also has dates for hearings. I will check with you upon my return. Thanks for your email.

John

-- Sent from my Palm Pre

On Jul 29, 2010 2:56 PM, Thompson, James <**Fla. R. Court 2.420**> wrote:

I am getting a ton of orders/Motions/etc and I am not sure what to do with some.

1. 2 notices for trial. One for ½ day, **Fla. R. Court 2.420 (case specific)** and one for 3 days, **Fla. R. Court 2.420 (case specific)**. What to do with them?
2. Order to Show Cause-expedited foreclosure proceeding. Needs a hearing date in 60 + days. This is a type of foreclosure action we don't see often (Like never) **Fla. R. Court 2.420 (case specific)**. I can sign it but how do we get hearing date and etc?
3. Order to Disburse funds that was set for a hearing 7/29 9am before I found the order **Fla. R. Court 2.420 (case specific)**. I was not to be in today and have no idea if anyone granted it.
4. Packet with Judgment and purporting to include original note for September 13 2010 **Fla. R. Court 2.420 (case specific)** by Stern law firm. Does not have the original note and this firm should know better than to send this stuff to judge as

opposed to bringing it to Sept 13 hearing

Page 2

5. Ex parte orders to continue hearings already held. Deny them?

I am not scheduled to be in this week and came on this stuff by chance. I see problems?

Judge Thompson

**From:** Aloia, Nancy K </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=NKW2884>

**To:** Hamsharie, Deborah

**CC:** Trammell, Cindy

**Date:** 8/2/2010 1:46:16 PM

**Subject:** ?RE: Notices for Trial

---

I spoke with the clerks today. We already have a mailbox set-up with them so it shouldn't be a problem to divert the NFTs. I think the issues is that the residential foreclosure case types were not created until this year. Everything filed prior to that time was lumped together under mortgage foreclosures – including the commercial cases. Since we are only setting the residential cases – I think the concern is whether they are forwarding it to the proper place. They (clerk's office) is having a meeting tomorrow and will discuss. Thanks

---

**From:** Hamsharie, Deborah

**Sent:** Monday, July 26, 2010 11:09 AM

**To:** Aloia, Nancy K

**Cc:** Trammell, Cindy

**Subject:** Notices for Trial

Cindy & I are receiving Notices for Trial for mortgage foreclosures. These are being brought to us by the Clerk. Can you please inform Sandy Sauls to direct them to Sharon English.

Thanks.

Debbie

Deborah Hamsharie  
Judicial Assistant to  
Hon. Sherra Winesett  
239-533-2600

**From:** [Kyle, Keith </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=KKYLE>](mailto:Kyle.Keith@SAO20/OU=CACJIS/CN=RECIPIENTS/CN=KKYLE)

**To:** [Embury, Jon](mailto:Embury, Jon)  
[Shelton, Jeremy](mailto:Shelton, Jeremy)

**CC:** [Richards, George](mailto:Richards, George)  
[Schreiber, Lee Ann](mailto:Schreiber, Lee Ann)

**Date:** 8/2/2010 12:28:24 PM

**Subject:** Order Setting Foreclosures KRK

---

Judge Richards and Judge Schreiber ---- FYI.  
Jon and Jeremy ---- per prior discussion.

Per discussion in regards to the Foreclosure Trial Order, I added the reference to:

1. 1.440(c) [which should address an attorney's concern about the Court's authority to set matters for trial; we can as long as the pleadings are at issue and we give a minimum of 30 days' notice],
2. to the waiver of pending motions if not properly set/noticed/coordinated, and
3. changed the Judge's name entry to a generic "presiding Foreclosure Judge" – along with the requirement the parties show up early to verify the judge and/or courtroom the day of trial.

Jeremy can make other revisions, as needed, per discussion or as otherwise needed. Thanks.

If litigants need a continuance (despite having six months plus, let alone a year plus time on most of these cases), they can move for the same and state/explain good cause as to why they need [limited to a couple months or so] even more time to get proof of note/mortgage/non-payment/outstanding amount due and owed, etc. The goal is to get these cases done and over with as per the FL Supreme Court's directive; our one year clock already has started to run.

Once the order is finalized, Penny probably can make a template form to allow one to hit "tab" to go through the order to fill in with names, dates, times, etc. instead of having to cut-and-paste every order. Lee's version (for docket sounding) was set up that way.

**From:** Sandi Sauls <ssauls@leeclerk.org>

**To:** McHugh, Michael

**CC:**

**Date:** 8/2/2010 4:00:26 PM

**Subject:** ?RE: Memorandum on Foreclosure Cancellations

---

This is fine. Thanks.

---

**From:** McHugh, Michael [mailto:[Fla. R. Court 2.420](mailto:Fla.R.Court.2.420)]

**Sent:** Monday, August 02, 2010 4:51 PM

**To:** Sandi Sauls

**Subject:** Memorandum on Foreclosure Cancellations

I put this together quickly and I am not sure if it is what you were looking for. Let me know if this is OK, or if you would like any further language in the memo.

---

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[www.symantec.com](http://www.symantec.com)

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## Starnes, Hugh E

---

**From:** Aloia, Nancy K  
**Sent:** Monday, August 02, 2010 1:34 PM  
**To:** Rose, Penelope; Carlin, John S.  
**Cc:** Thompson, James; Starnes, Hugh E; Reduga, Scott  
**Subject:** RE: Foreclosure ???

Hi Penelope

We have a central location for pending foreclosure matters. The Senior Judges have agreed to stop in to See Scott Reduga on the dates they are scheduled in court so they may review and sign. The Civil Judges are referring the residential foreclosure matters to us. I would recommend that you also send the foreclosure mail being sent to the Senior Judges so that we may keep everything in one location and signed timely since they are not here every day. The Senior Judges have agreed to sign off for each other so we can keep everything flowing.

Thank you – Nancy

**From:** Rose, Penelope  
**Sent:** Thursday, July 29, 2010 3:20 PM  
**To:** Carlin, John S.; Aloia, Nancy K  
**Subject:** FW: Foreclosure ???

Judge Thompson called me earlier this week to say he would be in on Thursday and Friday. I had some foreclosure related mail for him and took it upstairs knowing he would be here to look at it.

I do have a lady to conform the foreclosure orders once they are signed.

If I may be of any further help regarding the Senior Judges and foreclosures, let me know – I am always happy to assist any way I can.

Penelope

**From:** Thompson, James  
**Sent:** Thursday, July 29, 2010 2:57 PM  
**To:** Carlin, John S.; Rose, Penelope; Aloia, Nancy K; English, Sharon; Johnston, Linda  
**Cc:** Starnes, Hugh E  
**Subject:** Foreclosure ???

I am getting a ton of orders/Motions/etc and I am not sure what to do with some.

1. 2 notices for trial. One for ½ day, [REDACTED] and one for 3 days, [REDACTED] What to do with them?
2. Order to Show Cause-expedited foreclosure proceeding. Needs a hearing date in 60+ days. This is a type of foreclosure action we don't see often (Like never) [REDACTED] I can sign it but how do we get hearing date and etc?
3. Order to Disburse funds that was set for a hearing 7/29 9am before I found the order. [REDACTED] I was not to be in today and have no idea if anyone granted it.
4. Packet with Judgment and purporting to include original note for September 13 SJ Hearing sent by Stern law firm. Does not have the original note and this firm should know better than to send this stuff to judge as opposed to bringing it to Sept 13 hearing
5. Exparte orders to continue hearings already held. Deny them?

I am not scheduled to be in this week and came on this stuff by chance. I see problems?

Judge Thompson



From: [Carlin, John S. </O=SAO20/OU=CACJIS/  
CN=RECIPIENTS/CN=JSC5225>](mailto:Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>)

To: [Aloia, Nancy K](mailto:Aloia, Nancy K)

CC:

Date: 8/20/2010 12:21:16 PM

Subject: RE: Draft Schedule

---

Thanks, Nancy, for the emails yesterday. I need to reschedule our 3:30 meeting to discuss the November and December foreclosure calendars to another day next week. Have a good week-end.

From: Aloia, Nancy K

Sent: Thursday, August 19, 2010 6:28 PM

To: Carlin, John S.

Subject: FW: Draft Schedule

*November*

*Senior Judge Schedule:*

Hearing dates: November 1, 2, 8, 15, 22, 29 – (75 cases at 8:30 and 100 cases at 1:00)

Docket soundings: November 4, 9, 10, 16, 17, 18, 23, 30- 75 cases at 8:30 and 75 cases at 1:00

Trial Days Available: Nov. 12, 24

Friday Summary Judgment dockets: Nov. 5, 12, 19 at 8:30 and 250 cases at 1:00

*Magistrate Diamond Schedule:*

Hearing dates: November 30

Docket soundings: November 2, 3, 4, 9, 10, 16, 17, 18, 23, 24, with 60 at 8:30 and 60 cases at 1:00

Trial Days Available: Nov. 1, 5, 8, 12, 15, 19, 22, 29

*Magistrate Hawthorne Schedule:*

Docket soundings: November 2, 3, 4, 9, 10, 16, 17, 18, 23, 24, 30 with 60 at 8:30 and 60 cases at 1:00

Trial Days Available: Nov. 22

*December*

*Senior Judge Schedule:*

Hearing dates: December 6, 7, 13, 14, 27, 28 – (75 cases at 8:30 and 100 cases at 1:00)

Docket soundings: Dec 1, 2, 8, 9, 15, 16, 20, 21, 29 at 75 cases at 8:30 and 75 cases at 1:00

Trial Days Available: Dec. 10, 21

Friday Summary Judgment dockets: Dec 3, 10, 17 at 8:30 and 250 cases at 1:00

*Magistrate Diamond Schedule:*

Hearing dates: Dec. 30 (15 mins. or longer) at 8:30, 9:30, 10:30, 1:00, 2:00, 3:00 and 4:00- set four hearings per hour

Docket soundings: Dec., 1, 2, 7, 8, 9, 14, 15, 16, 21, 22, 28, 29 with 60 at 8:30 and 60 cases at 1:00

Trial Days Available: Dec. 3, 6, 10, 13, 17, 20, 27

*Magistrate Hawthorne Schedule:*

Docket soundings: Dec. 1, 2, 7, 8, 9, 14, 15, 16, 20, 21, 22, 28, 29 with 60 at 8:30 and 60 cases at 1:00

Trial Days Available: Dec. 27

Thank you

Nancy Aloia

Family/Civil Director

Twentieth Judicial Circuit

1700 Monroe Street, Ft. Myers, FL 33901

239-533-2991/Mobile 357-5641

**From:** Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>

**To:** [McHugh, Michael](#)

**CC:**

**Date:** 8/20/2010 1:14:48 PM

**Subject:** ?RE: Notice Setting Trial/Docket Sounding

---

Thanks for looking at this. Have a good week-end.

---

**From:** McHugh, Michael

**Sent:** Friday, August 20, 2010 2:14 PM

**To:** Carlin, John S.

**Subject:** RE: Notice Setting Trial/Docket Sounding

Looks fine. It is definitely to the point.

---

**From:** Carlin, John S.

**Sent:** Friday, August 20, 2010 2:00 PM

**To:** McHugh, Michael

**Subject:** FW: Notice Setting Trial/Docket Sounding

Fyi.....are you ok with this form? I requested something to be done in writing at the DS so allow for follow-up at the next DS.

---

**From:** Aloia, Nancy K

**Sent:** Friday, August 20, 2010 1:58 PM

**To:** Sauls, Sandi; Carlin, John S.

**Subject:** RE: Notice Setting Trial/Docket Sounding

Done -This will be ready for court Monday. A sample form is being provided to you in the event you would like to forward to the clerks who will be completing the new section. Please let me know if there is anything additional you would like for me to include or modify on the form. Thank you

**rom:** Aloia, Nancy K

**Sent:** Thursday, August 19, 2010 6:41 PM

**To:** Sauls, Sandi; Carlin, John S.

**Subject:** RE: Notice Setting Trial/Docket Sounding

I think this may work. Let me see what I can do to modify the form.

---

**From:** Sandi Sauls [mailto:ssauls@leeclerk.org]

**Sent:** Thursday, August 19, 2010 4:44 PM

**To:** Carlin, John S.

**Cc:** Aloia, Nancy K

**Subject:** Notice Setting Trial/Docket Sounding

I think it's a good idea to continue to put the "ruling" on the actual form *Notice Setting Trial/Docket Sounding* which is provided to all parties and filed in the case. I agree that it takes too much judicial time for the Magistrate to write it out. I am suggesting to Nancy that we add two or three check boxes on the form such as *Plaintiff to file Motion for Summary Judgment to be heard on XXXX* which seems to be the most common. The clerk can check off the appropriate box or append some directive prior to making copies for the parties. Do you think this might work?

Thank you,

Sandi C Sauls  
Civil Division Manager  
239-533-9188

20TH CIR 04417

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**From:** Rose, Penelope </O=SAO20/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=PROSE>

**To:** Kellum, Ken

**CC:**

**Date:** 8/20/2010 8:30:54 AM

**Subject:** ?FW: Foreclosure mail

---

The last two sentences are very nice!!!

---

**From:** Aloia, Nancy K  
**Sent:** Thursday, August 19, 2010 7:11 PM  
**To:** Rose, Penelope  
**Cc:** Reduga, Scott  
**Subject:** Foreclosure mail

Hello

The clerk's office will be handling the opening and sorting of the foreclosure mail. We will provide the mail to the clerks using our central location so it does not get mixed up with other case types since much of it is time sensitive.

You may drop off to us in Scott's office (place under the mail table) or let us know you have mail and we can pick it up. Thank you for all your help with everything. You have been wonderful!

*Nancy Aloia  
Family/Civil Director  
Twentieth Judicial Circuit  
1700 Monroe Street, Ft. Myers, FL 33901  
239-533-2991/Mobile 357-5641*

**From:** Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>

**To:** Sauls, Sandi

**CC:** Green, Charlie

Doggett, Linda

**Date:** 8/21/2009 1:17:02 PM

**Subject:**

---

Sandi-

You mentioned the need to add one day of high volume foreclosure hearings for September or October and I told you that I was in agreement with this idea. Do you have a date in mind and I will begin to look for coverage? Thanks, Sandi.

**From:** Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>

**To:** Sauls, Sandi

**CC:**

**Date:** 8/21/2009 1:40:02 PM

**Subject:** ?RE:

---

Great.....just let me know.

---

**From:** Sandi Sauls [mailto:ssauls@leeclerk.org]

**Sent:** Friday, August 21, 2009 2:23 PM

**To:** Carlin, John S.

**Subject:** RE:

I'm on the phone with the larger law firms at this very moment - I am trying to get a feel for numbers. I'll let you know what I come up with shortly.

Thank you,

Sandi C. Sauls  
Civil Division Manager  
P.O. Box 310  
Fort Myers, FL 33902  
239-533-9188

---

**From:** Carlin, John S. [mailto:**Fla. R. Court 2.420**]

**Sent:** Friday, August 21, 2009 2:17 PM

**To:** Sandi Sauls

**Cc:** Charlie Green; Linda Doggett

**Subject:**

Sandi-

You mentioned the need to add one day of high volume foreclosure hearings for September or October and I told you that I was in agreement with this idea. Do you have a date in mind and I will begin to look for coverage? Thanks, Sandi.

---

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20TH CIR 04421

**From:** Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>

**To:** McHugh, Michael

**CC:**

**Date:** 8/24/2009 1:08:54 PM

**Subject:** ?RE:

---

It is not just 5 cases. I asked Sandi for some examples of the cases that they said was their biggest need. They have thousands of these type of cases.

---

**From:** McHugh, Michael  
**Sent:** Monday, August 24, 2009 1:07 PM  
**To:** Carlin, John S.  
**Subject:** RE:

If we are talking about five cases, it probably would not make sense to set a special docket for them. It probably makes sense to place them on the individual Judges docket. These might be more appropriately set on 15-30 minutes hearing slots as opposed to the normal foreclosure dockets.

---

**From:** Carlin, John S.  
**Sent:** Monday, August 24, 2009 1:01 PM  
**To:** McHugh, Michael  
**Subject:** FW:

Can you read the below email and let me know how best to proceed. Do we want to set a high volume docket with these cases? If so, how would it be scheduled?

---

**From:** Sandi Sauls [mailto:ssauls@leeclerk.org]  
**Sent:** Friday, August 21, 2009 4:02 PM  
**To:** Carlin, John S.  
**Subject:** RE:

The law firms I spoke with said their biggest need is for cases with opposing counsel (Affidavits in Opposition of Motion for Summary Judgment). LJ (justifiably) will not set these on the Fri docket. I just called Florida Default for 5 cases that fall into this category. They are **Fla. R. Court 2.420 (case specific)**. Please let me know what you think about these. Thanks.

Thank you,

Sandi C. Sauls  
Civil Division Manager  
P.O. Box 310  
Fort Myers, FL 33902  
239-533-9188

---

**From:** Carlin, John S. [mailto:**Fla. R. Court 2.420**]  
**Sent:** Friday, August 21, 2009 2:40 PM  
**To:** Sandi Sauls  
**Subject:** RE:

Great.....just let me know.

---

20TH CIR 04422

**From:** Sandi Sauls [mailto:ssauls@clerk.org]  
**Sent:** Friday, August 21, 2009 2:23 PM  
**To:** Carlin, John S.  
**Subject:** RE:

I'm on the phone with the larger law firms at this very moment - I am trying to get a feel for numbers. I'll let you know what I come up with shortly.

Thank you,

Sandi C. Sauls  
Civil Division Manager  
P.O. Box 310  
Fort Myers, FL 33902  
239-533-9188

---

**From:** Carlin, John S. [mailto:**Fla. R. Court 2.420**]  
**Sent:** Friday, August 21, 2009 2:17 PM  
**To:** Sandi Sauls  
**Cc:** Charlie Green; Linda Doggett  
**Subject:**

Sandi-  
You mentioned the need to add one day of high volume foreclosure hearings for September or October and I told you that I was in agreement with this idea. Do you have a date in mind and I will begin to look for coverage? Thanks, Sandi.

---

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager.

This footnote also confirms that this email message has been swept by Symantec Mail Security for the presence of computer viruses.

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**Florida has a very broad Public Records Law. Most written communications to or from State and Local Officials regarding State or Local business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.**

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**From:** Aloia, Nancy K </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=NKW2884>

**To:** Carlin, John S.

**CC:**

**Date:** 8/24/2010 2:39:44 PM

**Subject:** ?RE: Draft Schedule

---

Updated report attached.

1. The % of continuances for August is 62% (1,253 heard/727 continued). *Please note that the report displays a running total and shows 42% for Aug. since it is comparing against the total # of DS scheduled.*
2. I would estimate continuances in the early months of this project to be high: 70%.

JACS training set is scheduled this Thursday for the clerk's office.

Thank you

---

**From:** Carlin, John S.

**Sent:** Tuesday, August 24, 2010 11:38 AM

**To:** Aloia, Nancy K

**Subject:** RE: Draft Schedule

If you need anything regarding the JACS training just let me know.

As we develop the Nov. and Dec. calendars, it might be helpful to answer a few questions:

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I would appreciate these items being answered today if you have the time. I want to get this schedule resolved this week to give staff sufficient time to get the new DS dates out to the parties with 60 days notice so hopefully we will get a lot of SJ hearings set in November and December. Thanks, Nancy.

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---

**From:** Carlin, John S.

**Sent:** Tuesday, August 24, 2010 10:40 AM

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-- Sent from my Palm Pre

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Yes- I am waiting on the clerks to provide me a date for training. It is important that we get this ~~2010 CIR 0424~~ sure this

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---

**From:** Carlin, John S. **Fla. R. Court 2.420**  
**Sent:** Friday, August 20, 2010 8:34 PM  
**To:** Aloia, Nancy K <NAloia@CA.CJIS20.ORG>  
**Subject:** RE: Draft Schedule

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Please disregard the previous attached Word document. Updated changes in this revision. Thank you

---

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**Subject:** RE: Draft Schedule

Attached calendar with changes. Notes below

I have changed the docket soundings to the 100/100 formula for Nov/Dec. With the continued DS that may mean they hear about 250-280 DS per day –possibly higher because of the numbers of DS set in Sept.

I changed the 2 trial dates on the calendar for Mag. Hawthorne which now reflects DS. If she schedules a trial at DS she will need to roll it to Mag. Diamond's docket unless we keep one trial date open per month for her.

Thank you – Have a great week-end!

---

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**To:** Aloia, Nancy K  
**Subject:** RE: Draft Schedule

A few ideas regarding the schedule:

I think that the Senior Judges and Magistrates can each do 100 cases per session of docket sounding. We have scheduled

20TH CIR 04425

This is an unregistered version of Total Outlook Converter Page 9  
the Senior Judges for 100 in October and the Magistrates for 75 in October. Based upon my experience and seeing some court recently, 100 cases is a good number. Done

For SR Judge hearings, 75 in the a.m. and 100 in the p.m. is reasonable and that is how we have scheduled in the past. Your calendar has only 75 in the p.m. Done

On Nov. 22 and Dec. 27, it has Trial days for Mag. Hawthorne which I believe is a mistake. She is only doing DS and these dates need to reflect DS for her. Done-notes above

On November 19, I would like to change that to a DS instead of trial for Mag. Diamond since we are short on a DS due to holiday and she has plenty of other trial days in the month. Done

In November, we need to add one more day of a SR Judge docket sounding as we have 9 days in Oct. but only 8 on the draft November schedule. Done – 11/3

Is Nov. 12 a trial day for a SR Judge in addition to a Friday foreclosure day for another SR Judge? Yes- Nov is a short month for us. Logic: If trial is not needed we already have a Snr Judge to sign on Friday.

On Nov. 19, the SR Judge calendar from Penelope has Starnes doing UFH and Mclver doing Friday foreclosures. This is an error and I believe that we can cancel out Mclver and have Starnes do the Friday foreclosure docket. Am I correct? Done-spoke with Penelope and email sent: Judge Starnes to cover/Judge Mclver cancelled

In December we need to add one more day for docket sounding to get 9 days. Done -12/22 added

On the calendar, Dec. 10 has Starnes doing trial and Friday foreclosure. Do you want to keep trial day and find another SR Judge? If so, that allows for 2 trial days with Judges. If not, then we need to add a second date on the calendar to get 2 trial days with SR Judges. Yes - keep the trial date. The holiday shortened available days in this month. Logic: If trial is not needed we already have a Snr Judge to sign on Friday.

When you have a minute, please let me know your thoughts and make any changes to a new calendar that you agree with. We can talk about any areas of disagreement. I want us to have everything resolved early next week so that we can begin noticing these dates giving ample time for the SJ to be set at the DS. Thanks, Nancy. Have a good week-end!

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**Sent:** Thursday, August 19, 2010 6:28 PM  
**To:** Carlin, John S.  
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## ***November***

### *Senior Judge Schedule:*

Hearing dates: November 1, 2, 8, 15, 22, 29 – (75 cases at 8:30 and 100 cases at 1:00)

Docket soundings: November 4, 9, 10, 16, 17, 18, 23, 30- 75 cases at 8:30 and 75 cases at 1:00

Trial Days Available: Nov. 12, 24

Friday Summary Judgment dockets: Nov. 5, 12, 19 at 8:30 and 250 cases at 1:00

### *Magistrate Diamond Schedule:*

Hearing dates: November 30

Docket soundings: November 2, 3, 4, 9, 10, 16, 17, 18, 23, 24, with 60 at 8:30 and 60 cases at 1:00

Trial Days Available: Nov. 1, 5, 8, 12, 15, 19, 22, 29

### *Magistrate Hawthorne Schedule:*

Docket soundings: November 2, 3, 4, 9, 10, 16, 17, 18, 23, 24, 30 with 60 at 8:30 and 60 cases at 1:00

Trial Days Available: Nov. 22

## ***December***

### *Senior Judge Schedule:*

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Trial Days Available: Dec. 10, 21

Friday Summary Judgment dockets: Dec 3, 10, 17 at 8:30 and 250 cases at 1:00

### *Magistrate Diamond Schedule:*

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Trial Days Available: Dec. 3, 6, 10, 13, 17, 20, 27

### *Magistrate Hawthorne Schedule:*

**20TH CIR 04426**

Docket soundings: Dec. 1, 2, 7, 8, 9, 14, 15, 16, 20, 21, 22, 28, 29 with 60 at 8:30 and 60 cases at 1:00

Trial Days Available: Dec. 27

Thank you

*Nancy Aloia*

*Family/Civil Director*

*Twentieth Judicial Circuit*

*1700 Monroe Street, Ft. Myers, FL 33901*

*239-533-2991/Mobile 357-5641*

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20TH CIR 04429

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Trial Days Available: Nov. 22

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### *Magistrate Hawthorne Schedule:*

**20TH CIR 04430**

Docket soundings: Dec. 1, 2, 7, 8, 9, 14, 15, 16, 20, 21, 22, 28, 29 with 60 at 8:30 and 60 cases at 1:00

Trial Days Available: Dec. 27

Thank you

*Nancy Aloia*

*Family/Civil Director*

*Twentieth Judicial Circuit*

*1700 Monroe Street, Ft. Myers, FL 33901*

*239-533-2991/Mobile 357-5641*



**From:** Aloia, Nancy K </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=NKW2884>

**To:** McHugh, Michael

**CC:**

**Date:** 8/24/2010 3:29:32 PM

**Subject:** Order setting DS

---

**From:** Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>

**To:** McHugh, Michael

**CC:** Aloia, Nancy K

**Date:** 8/24/2010 8:46:08 PM

**Subject:** ?RE: Order Setting Docket Sounding

---

Thanks, Mike, for preparing the changes to the Order. I wanted to get your thoughts if you think any tougher language would be beneficial involving sanctions i.e. examples of dismissing the case, striking the pleadings, etc if they fail to attend the docket sounding. Not sure that we can even order such sanctions for missing a docket sounding. I just want to increase attendance at DS by all attorneys. Judge Thompson said that an order in Miami had some tough language. Have you seen it? Perhaps Nancy could locate this Order for everybody's review. Thanks again for taking the time to make these changes.

---

**From:** McHugh, Michael  
**Sent:** Tuesday, August 24, 2010 4:55 PM  
**To:** Carlin, John S.  
**Subject:** Order Setting Docket Sounding

I have made changes to the Order setting the Docket Sounding in foreclosure cases, pursuant to our lunch meeting last week. The changes that I made are at the end of paragraph 1. Let me know if you think this addresses the issue that we talked about.

Thanks,  
Mike.

**From:** McHugh, Michael </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=MMCHUGH>

**To:** Carlin, John S.

**CC:**

**Date:** 8/24/2010 3:55:48 PM

**Subject:** Order Setting Docket Sounding

---

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Thanks,  
Mike.

**From:** Aloia, Nancy K </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=NKW2884>

**To:** Carlin, John S.

**CC:**

**Date:** 8/25/2010 12:03:18 PM

**Subject:** DS recommendation-

---

Hello

I had a chance to speak with Judge Starnes concerning the # of DS to be set on a docket. He feels 220 per day is achievable when factoring in additional signing time.

For the Senior Judges, I would recommend:

- 1) Setting 170 new DS cases per day (85 morning/85 afternoon) and allowing for 50 additional cases to be set for continued DS. So the dockets will be at 220 per day and the Judges will continue to sign/review foreclosure paperwork on those dates.
- 2) In the event docket space is still available: I will use those times to reset DSs where an objection has been filed to the Magistrate since I do not need a 60-day notice for those cases.

For the Magistrates, I would recommend:

- 1) Setting 200 DS cases per day (100 morning/100 afternoon) and allowing for 50 additional cases to be set for continued DS. So the dockets will be at 250 per day.

Please let me know if you are OK with this and I will amend the notes on the master calendar. Thank you

*Nancy Aloia*

*Family/Civil Director*

*Twentieth Judicial Circuit*

*1700 Monroe Street, Ft. Myers, FL 33901*

*239-533-2991/Mobile 357-5641*

**From:** McHugh, Michael </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=MMCHUGH>

**To:** Carlin, John S.

Sauls, Sandi

**CC:** Aloia, Nancy K

**Date:** 8/25/2010 9:42:22 AM

**Subject:** ?RE: Orders to Cancel sales

---

I do think that this is a reasonable process. I have discussed it with Judge Fuller and Judge Winesett and they both agree with this procedure. The three of us make a majority, but I will try and get with Judge Rosman and Gerald and make sure there are no objections.

---

**From:** Carlin, John S.

**Sent:** Thursday, August 19, 2010 4:01 PM

**To:** Sauls, Sandi; McHugh, Michael

**Cc:** Aloia, Nancy K

**Subject:** RE: Orders to Cancel sales

Just a point of clarification. I wanted the civil judges input to make sure that they agreed that they would sign any Order to Cancel sale that are presented to them the day before the sale and they would have to sign it by 2:00 to get the next day sale cancelled. The Senior Judges are signing all other foreclosure orders but we can't guarantee this quick of a turn around by a Senior Judge as they typically spend most of the day in court and sign at the end of the day which would be too late to cancel the next day sale. I know that people do take vacations, attend conferences so we could have a system where they covered for each other and I would also be willing to sign these if someone was not available. Mike, do you think this is reasonable or do you have any other thoughts?

---

**From:** Sandi Sauls [mailto:ssauls@leeclerk.org]

**Sent:** Thursday, August 19, 2010 3:45 PM

**To:** McHugh, Michael

**Cc:** Carlin, John S.; Aloia, Nancy K

**Subject:** Orders to Cancel sales

If we receive an untimely Motion and Order to Cancel a (Foreclosure) Sale, may we return the pleadings to the attorney (with their \$50 reopen fee)? If yes, then the question is the definition of untimely. After talking to Judge Carlin we thought untimely could be any time after 10:00AM the day before the sale because we would have difficulty getting the Order to the Judge and having it returned to us in time to perform the cancellation process. Judge Carlin said we needed the Circuit Civil Judges approval before we could act on this. Also there may be "emergency" situations that need to be dealt with somehow. My only interest in this is to reduce the unnecessary paperwork for both the Judges and clerk. It may not even be a problem, but I have come to expect very little from the foreclosure mills. Could you possibly get a "ruling" from the Civil Judges on this if you think it has any merit? Thank you.

Thank you,

Sandi C Sauls  
Civil Division Manager  
239-533-9188

Florida has a very broad Public Records Law. Most written communications to or from State and Local Officials regarding State or Local business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

**From:** [Shelton, Jeremy </O=SAO20/OU=EXCHANGE ADMINISTRATIVE GROUP \(FYDIBOHF23SPDLT\)/CN=RECIPIENTS/CN=JSHELTON>](mailto:Shelton,Jeremy@ca.cjis20.org)

**To:** [Conderman, Ellen](mailto:Conderman, Ellen)

**CC:** [Embury, Jon](mailto:Embury, Jon)

**Date:** 8/25/2010 3:16:38 PM

**Subject:** ?RE: Summary Judgements on Foreclosure hearings

---

Ellen,

I'm planning to open the Senior Judge days in October on JACS for MSJ hearings soon, but I'm waiting a few more days to try to force the attorneys to use the available times in September. There are still over 200 MSJ timeslots available in September.

Beginning next week, I'm going to begin opening the October days, probably one at a time, to try to coerce the attorneys to schedule earlier rather than later, and to avoid days where only a few motions are scheduled.

Thank you,

*Jeremy J. Shelton*

Civil Case Manager

20th Judicial Circuit, Charlotte County

Administrative Office of the Courts

350 East Marion Avenue

Punta Gorda, Florida 33983

Email: [jshelton@ca.cjis20.org](mailto:jshelton@ca.cjis20.org)

Phone: 941.637.2100

---

**From:** Embury, Jon

**Sent:** Wednesday, August 25, 2010 4:04 PM

**To:** Shelton, Jeremy

**Subject:** FW: Summary Judgements on Foreclosure hearings

It looks like Ellen is getting calls about October time. You may want to give her a call. Maybe we can convince the attorney to use the last date in September..

Jon

---

**From:** Mause, Denise

**Sent:** Wednesday, August 25, 2010 2:58 PM

**To:** Embury, Jon

**Subject:** FW: Summary Judgements on Foreclosure hearings

Jon – I'm not sure what to tell Ellen....

*Respectfully,*

*Denise P. Mause*

*Administrative Assistant*

*Administrative Office of the Courts*

*Twentieth Judicial Circuit*

*(941) 637-2110*

*Fax: (941) 637-2283*

20TH CIR 04437

[dmause@ca.cjis20.org](mailto:dmause@ca.cjis20.org)

*Our mission is to provide professional services to support the judiciary in their efforts to protect rights and liberties, uphold and interpret the law, and provide for the peaceful resolution of disputes.*

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**From:** Conderman, Ellen  
**Sent:** Wednesday, August 25, 2010 2:53 PM  
**To:** Mause, Denise  
**Subject:** Summary Judgements on Foreclosure hearings

Hi Denise,

I know the Senior Judges will be hearing MSJ's beginning the end of September. I got a call asking for October dates but I don't see anything open yet. Can you find out if they can set up the dates for them in October?

Ellen Conderman  
Judicial Assistant  
Judge Lee Ann Schreiber  
239-533-2603 Lee County  
941-833-3033 Charlotte County  
[econderman@ca.cjis20.org](mailto:econderman@ca.cjis20.org)

**From:** [Shelton, Jeremy </O=SAO20/OU=EXCHANGE ADMINISTRATIVE GROUP \(FYDIBOHF23SPDLT\)/CN=RECIPIENTS/CN=JSHELTON>](mailto:Shelton,Jeremy@ca.cjis20.org)

**To:** [Conderman, Ellen](mailto:Conderman, Ellen)

**CC:** [Embury, Jon](mailto:Embury, Jon)

**Date:** 8/25/2010 3:16:38 PM

**Subject:** ?RE: Summary Judgements on Foreclosure hearings

---

Ellen,

I'm planning to open the Senior Judge days in October on JACS for MSJ hearings soon, but I'm waiting a few more days to try to force the attorneys to use the available times in September. There are still over 200 MSJ timeslots available in September.

Beginning next week, I'm going to begin opening the October days, probably one at a time, to try to coerce the attorneys to schedule earlier rather than later, and to avoid days where only a few motions are scheduled.

Thank you,

*Jeremy J. Shelton*

Civil Case Manager

20th Judicial Circuit, Charlotte County

Administrative Office of the Courts

350 East Marion Avenue

Punta Gorda, Florida 33983

Email: [jshelton@ca.cjis20.org](mailto:jshelton@ca.cjis20.org)

Phone: 941.637.2100

---

**From:** Embury, Jon

**Sent:** Wednesday, August 25, 2010 4:04 PM

**To:** Shelton, Jeremy

**Subject:** FW: Summary Judgements on Foreclosure hearings

It looks like Ellen is getting calls about October time. You may want to give her a call. Maybe we can convince the attorney to use the last date in September..

Jon

---

**From:** Mause, Denise

**Sent:** Wednesday, August 25, 2010 2:58 PM

**To:** Embury, Jon

**Subject:** FW: Summary Judgements on Foreclosure hearings

Jon – I'm not sure what to tell Ellen....

*Respectfully,*

*Denise P. Mause*

*Administrative Assistant*

*Administrative Office of the Courts*

*Twentieth Judicial Circuit*

*(941) 637-2110*

*Fax: (941) 637-2283*

20TH CIR 04439



[dmause@ca.cjis20.org](mailto:dmause@ca.cjis20.org)

*Our mission is to provide professional services to support the judiciary in their efforts to protect rights and liberties, uphold and interpret the law, and provide for the peaceful resolution of disputes.*

---

---

**From:** Conderman, Ellen  
**Sent:** Wednesday, August 25, 2010 2:53 PM  
**To:** Mause, Denise  
**Subject:** Summary Judgements on Foreclosure hearings

Hi Denise,

I know the Senior Judges will be hearing MSJ's beginning the end of September. I got a call asking for October dates but I don't see anything open yet. Can you find out if they can set up the dates for them in October?

Ellen Conderman  
Judicial Assistant  
Judge Lee Ann Schreiber  
239-533-2603 Lee County  
941-833-3033 Charlotte County  
[econderman@ca.cjis20.org](mailto:econderman@ca.cjis20.org)

**From:** Winesett, Sherra </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=SWINESETT>

**To:** McHugh, Michael

**CC:**

**Date:** 8/25/2010 2:46:22 PM

**Subject:** Orders to Cancel Sales

---

I reviewed Sandi's and J Carlin's comments and have no problem with reviewing and signing orders on the motions in accordance with the suggested procedures. Once an order is signed, the judge's ja could simply e-mail the clerk of that fact so the sale could be timely cancelled.

In determining the procedure to use, I thought it important to determine the reason behind the adoption of new form 1.996(b) and whether an order to cancel and reschedule a f/c is mandatory. My review follows if anyone is interested:

New Civil form 1.996(b) entitled "Motion to Cancel and Reschedule Foreclosure Sale" simply states in a Note at the bottom of the form, " This form is used to move the court to cancel and reschedule a foreclosure sale." And rule 1.900 entitled "Forms" only states in (b) that the Forms for Use with Rules of Civil Procedure that follow are sufficient for the matters that are covered by them.

The supreme court, in their opinion adopting new form 1.996(b), does not say the order is mandatory but cites the Task Force's reasons for recommending that the new rule be adopted as follows:

" Currently, many foreclosure sales set by the final judgment and handled by the clerks of court are the subject of **vague last-minute motions to reset sales** without **giving any specific information as to why the sale is being reset**. It is important to know why sales are being reset so as to determine when they can properly be reset, **or whether the sales process is being abused**... Again, this is designed at promoting **effective case management** and **keeping properties out of extended limbo between final judgment and sale**." **(My Emphasis added)**

So I view the form as a case management tool to avoid last minute motions and orders and that as long as the procedure we set up is reasonable it should be ok. And I think the procedures set forth is entirely reasonable.

Further, as long as a rational reason is stated in a timely filed motion and the cancellations /resets are not being abused (i.e. if you see 7 cancellations and resets, it probably is and the judge will probably deny the motion.), reviewing these motions and signing orders will be pretty perfunctory.

**From:** [Judi Kennington-Korf <jkennington-korf@hendryfla.net>](mailto:jkennington-korf@hendryfla.net)

**To:** [Mann, Sheila](#)

[Cicchesi, Dawn](#)

[Redden, Shannon](#)

[Siracusa, Joanne](#)

[Suhar, Sharon](#)

[Wegis, Ginny](#)

[Smith, Carrie](#)

[Kiesel, Lisa](#)

[Harkey, Sandra D](#)

[Callanan, Richard](#)

[Smith, Joan](#)

[Sodergren, Christina](#)

[Melvin, Lisa](#)

[Marik, Nancy](#)

[Nelson, Brianna](#)

[McLean, Craig](#)

[Fishbeck, Eric](#)

[Ballard, Dolly](#)

[DeBow, Brenda](#)

[Bauer, Terri](#)

[Ederr, Suzanne](#)

[Eskin, Allison](#)

[Thompson, Christine](#)

[Hendrickx, Jo-Ann](#)

[Gutshall, Tilena](#)

[Sanchez, Marilu](#)

[Salmon, Marcia](#)

[Boone, R. Charles](#)

[Buendia, Glenda](#)

[Elliott, Sharon](#)

[Connell, Marguerite](#)

[Judith Mcelhaney](#)

[Clayton, Betsy](#)

[LORITOMASELLI@comcast.net](mailto:LORITOMASELLI@comcast.net)

[CapeRlt@aol.com](mailto:CapeRlt@aol.com)

[Lazorik, Rachael A.](#)

[Waddell, Bruce](#)

**CC:** [Aida Barnhart](#)

**Date:** 8/26/2010 7:38:08 AM

**Subject:** ?RE: call regarding homestead foreclosure

20TH CIR 04442



Sheila, thank you for sharing this story. Everyone's life is going through, or will go through, some kind of battle – that's what it is, a battle. It is very difficult to hear stories like this – literally hundreds of thousands in FL alone are effected by foreclosure – and as is the case in this story, much worse than foreclosure.

I could not tell where the woman was call from, so in the event it's Lee... the following is offered. Lee County may have a strategy through their SHIP program that may be able to help. Social Services also has the HPRP (I think it stands for the Homeless Prevention and Rapid Rehousing Program). The Human Services Department would be a good place to start: 239-533-8549 or dial 211 for United Way. They have counseling, and other assistance programs that may be able to help this family. United Way has a program that can help to keep a person in their home for 30 days. [This information was provided courtesy of our SHIP Director, Aida Barnhardt. Thanks, Aida.]

Sincerely, I hope this may be able to help someone..... This is being shared with a reply to all in the event it may be able to help this family or another that has a similar problem. Sad to say that even with all of this help, it is sometimes not enough.

All the best.....and thank you for having a caring heart – we need more of those!

---

**From:** Mann, Sheila [mailto:SMann@CA.CJIS20.ORG]

**Sent:** Thursday, August 26, 2010 8:12 AM

**To:** Cicchesi, Dawn; Redden, Shannon; Siracusa, Joanne; Suhar, Sharon; Wegis, Ginny; Smith, Carrie; Kiesel, Lisa; Harkey, Sandra D; Callanan, Richard; Smith, Joan; Sodergren, Christina; Melvin, Lisa; Marik, Nancy; Nelson, Brianna; McLean, Craig; Fishbeck, Eric; Ballard, Dolly; DeBow, Brenda; Bauer, Terri; Ederr, Suzanne; Eskin, Allison; Thompson, Christine; Hendrickx, Jo-Ann; Gutshall, Tilena; Sanchez, Marilu; Salmon, Marcia; Boone, R. Charles; Buendia, Glenda; Elliott, Sharon; Connell, Marguerite; Judi Kennington-Korf; Judith Mcelhaney; Clayton, Betsy; LORITOMASELLI@comcast.net; CapeRlt@aol.com; Lazorik, Rachael A.; Waddell, Bruce

**Subject:** call regarding homestead foreclosure

Hi All,

I had a conversation with a woman yesterday that I thought should be shared.

I returned the call of a woman who was losing her home to foreclosure. The conversation began with her apologizing for bothering me but she didn't know who else to contact. She was embarrassed that she was going through foreclosure and said that nothing like this had ever happened to her. That she was sure I had heard the same story from other people b/c lots of people were going through foreclosure, but that this was devastating to her. Nevertheless she wanted to do the right thing and follow procedure to the letter of the law. She had written a response but didn't know what to do with it and the letter she received was confusing and full of legal terms. What she needed was to file her response with the clerk. I provided her with the information she needed and she thanked me- profusely.

During the conversation she told me that she fell into financial difficulties b/c her husband had an organ transplant a couple years ago and they were buried in medical bills. Over the last year he had upwards of 10 strokes and had just been released from the hospital the day before after having open heart surgery. Also, he was going into kidney failure. In addition to all this, her son had returned from Iraq this past year and has had multiple surgeries b/c he returned home badly wounded. Finally, both her parents had died during the last two years. She was clearly overwhelmed and distraught and began crying- but just a little. She said if I had called her the afternoon before it wouldn't have been pretty b/c she had a meltdown and had been crying all afternoon. (I think anyone would agree this is entirely understandable.) Then she said to me that she pulled herself together because "other people have it worse than she does...what else can you do but just go on".

She ended the conversation thanking me for listening to her "complain" and for being understanding.

I am sharing this for two reasons:

**20TH CIR 04443**

1. To show that taking some extra time to be kind to someone could be the lifeline that person needs at that particular moment;
2. To remind us all that there really are "other people who have it worse"

This woman touched me in a profound way. I was having a rough morning-or so I thought- then I realized was rough really was.

Sheila

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**From:** Thompson, Lucinda </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=LTHOMPSON>

**To:** McHugh, Michael

**CC:**

**Date:** 8/3/2010 8:26:48 AM

**Subject:** ?FW: Procedure for Emergency Motions on Mortgage Foreclosures

---

*Lucinda Thompson  
Judicial Assistant to Judge Fuller  
Lee County Justice Center  
1700 Monroe Street  
Fort Myers, FL 33901  
(239) 533-2831*

---

**From:** Thompson, Lucinda  
**Sent:** Tuesday, August 03, 2010 9:03 AM  
**To:** Repperger, Kathryn  
**Subject:** Procedure for Emergency Motions on Mortgage Foreclosures

Kathy,

Do you know what the new procedure is for Emergency Motions on Mortgage Foreclosure hearings??

*Lucinda Thompson  
Judicial Assistant to Judge Fuller  
Lee County Justice Center  
1700 Monroe Street  
Fort Myers, FL 33901  
(239) 533-2831*

**From:** [Embury, Jon </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JEMBURY>](#)

**To:** [Richards, George](#)

[Schreiber, Lee Ann](#)

**CC:** [Davis, Dana](#)

**Date:** 8/31/2010 8:13:42 AM

**Subject:** ?RE: Foreclosures

---

I agree with you. Thank you for keeping me updated with this information. I will also send this over to Mr. Shelton.  
Jon

---

**From:** Richards, George

**Sent:** Tuesday, August 31, 2010 8:48 AM

**To:** Schreiber, Lee Ann; Embury, Jon

**Cc:** Davis, Dana

**Subject:** Foreclosures

I'm starting to see a number of motions on the following:

Motions to Abate foreclosure case while they "work something out" with the homeowner. Some of these are 2008 cases. I am denying these motions. My position is either dismiss the case and work it out or proceed with the foreclosure. If we abate these cases they could sit on the docket forever.

Motions to Cancel the Foreclosure Sale which are set in mid October. Again, working something out. I'm denying these motions. They have almost two months to work it out.

I think denying these motions will make them reach a resolutions sooner than later.

Your input please. George

**From:** [Schreiber, Lee Ann </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=LSCHREIBER>](mailto:Schreiber, Lee Ann </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=LSCHREIBER>)

**To:** [Richards, George](mailto:Richards, George)

[Embury, Jon](mailto:Embury, Jon)

**CC:** [Davis, Dana](mailto:Davis, Dana)

**Date:** 8/31/2010 7:55:12 AM

**Subject:** ?RE: Foreclosures

---

I agree with you. On the more recent filings, I am willing to abate for a specific period of time – 90 days max and I cc the case manager for follow up after 90 days. All filings after July 1 will require the “managed mediation,” in essence front ending the efforts to “work it out.” I suspect we will see fewer abatement requests in light of the Supreme Court mandated mediation.

---

**From:** Richards, George

**Sent:** Tuesday, August 31, 2010 8:48 AM

**To:** Schreiber, Lee Ann; Embury, Jon

**Cc:** Davis, Dana

**Subject:** Foreclosures

I’m starting to see a number of motions on the following:

Motions to Abate foreclosure case while they “work something out” with the homeowner. Some of these are 2008 cases. I am denying these motions. My position is either dismiss the case and work it out or proceed with the foreclosure. If we abate these cases they could sit on the docket forever.

Motions to Cancel the Foreclosure Sale which are set in mid October. Again, working something out. I’m denying these motions. They have almost two months to work it out.

I think denying these motions will make them reach a resolutions sooner than later.

Your input please. George



## Starnes, Hugh E

---

**From:** Aloia, Nancy K  
**Sent:** Wednesday, August 04, 2010 12:24 PM  
**To:** Johnston, Linda; Sauls, Sandi; Sandra Jones  
**Cc:** Baas, Kimberly; McHugh, Michael; Thompson, James; Starnes, Hugh E; Repperger, Kathryn; Rose, Penelope  
**Subject:** RE: Clerk

**Importance:** High

Hello  
A meeting has been scheduled for 2pm today in Judge McHugh's hearing room. I am also copying Judge Starnes and Judge Thompson so that they may attend if available.

*Penelope – I know that Judge Thompson is aware and will attend. I believe that Judge Starnes may also be aware but have not personally spoken with him. If he passes through before 2pm, please let him know about the meeting.*  
Thank you

**From:** Linda Johnston [<mailto:ljohnston@leeclerk.org>]  
**Sent:** Wednesday, August 04, 2010 8:49 AM  
**To:** Sauls, Sandi; Sandra Jones  
**Cc:** Baas, Kimberly; Aloia, Nancy K; McHugh, Michael  
**Subject:** RE: Clerk

Is there anyway that we could have a meeting this afternoon to clarify the proper procedure for our responsibilities regarding the Docket Sounding?

LJ  
*Senior Court Clerk*  
*Judge Carlin's Clerk*  
[ljohnston@leeclerk.org](mailto:ljohnston@leeclerk.org)  
*Phone: 555-2505 ext. 42690*

---

**From:** Sandi Sauls  
**Sent:** Tuesday, August 03, 2010 6:39 PM  
**To:** Sandra Jones; Linda Johnston  
**Subject:** Fw: Clerk

Guess this answers your question. The next question is whether you need to learn JACs.

Sent From Verizon Blackberry Device.

**From:** Aloia, Nancy K [<mailto:NAloia@CA.CJIS20.ORG>]  
**Sent:** Tuesday, August 03, 2010 06:29 PM  
**To:** Sandi Sauls  
**Subject:** Clerk

Hello

Just received your voicemail. A court clerk is needed at the Magistrates' docket soundings. Sharon English will be going back to Civil CM shortly and will not be in the courtroom. We had her there to help out with establishing courtroom practice so that we could release the process -and because I cannot be in 2 places at once :.] Thank you

*Nancy Aloia*  
*Family/Civil Director*  
*Twentieth Judicial Circuit*  
*1700 Monroe Street, Ft. Myers, FL 33901*  
*239-533-2991/Mobile 357-5641*

---

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**From:** [Shelton, Jeremy </O=SAO20/OU=EXCHANGE ADMINISTRATIVE GROUP \(FYDIBOHF23SPDLT\)/CN=RECIPIENTS/CN=JSHELTON>](mailto:Shelton, Jeremy </O=SAO20/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JSHELTON>)

**To:** [Kyle, Keith](mailto:Kyle, Keith)

**CC:** [Embury, Jon](mailto:Embury, Jon)

**Date:** 8/6/2010 8:01:36 AM

**Subject:** Trial Order

---

Judge Kyle,

Attached is the final version of the trial order that I will be using to set foreclosure trials.

Thank you,

*Jeremy J. Shelton*

Civil Case Manager  
20th Judicial Circuit, Charlotte County  
Administrative Office of the Courts  
350 East Marion Avenue  
Punta Gorda, Florida 33983  
Email: [jshelton@ca.cjis20.org](mailto:jshelton@ca.cjis20.org)  
Phone: 941.637.2100

**From:** Kyle, Keith </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=KKYLE>

**To:** Cary, G. Keith

Carlin, John S.

**CC:** Aloia, Nancy K

Embury, Jon

Callanan, Richard

**Date:** 8/9/2010 2:25:04 PM

**Subject:** Charlotte Foreclosure Trial Order FYI/Random Comments

---

Here is a copy of the final order that we are using up here in Charlotte setting some of the really old foreclosure cases for trial. (Our case manager, Jaremy, is doing a great job by the way.) We've already started using this order and are awaiting the first round of responses in the next month or so. We are using about a sixty day lag between the order going out and the trial date. A local attorney apparently has advised that he disputes the court's ability to set matters for trial, hence the specific inclusion of the reference to FRCP 1.440(c). (The rule requires only a minimum of thirty days notice.)

I hope all is well down there. This last month (July) we had the lowest number of foreclosure filings here in Charlotte since May, 2007!

**From:** [Kyle, Keith </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=KKYLE>](mailto:Kyle, Keith </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=KKYLE>)

**To:** [Shelton, Jeremy](mailto:Shelton, Jeremy)

**CC:** [Embury, Jon](mailto:Embury, Jon)

**Date:** 8/9/2010 10:17:38 AM

**Subject:** ?RE: Trial Order

---

It was not attached – you'll see a little paperclip to the left if it successfully attaches... can you try again? Thanks! Happy Monday.

*Keith R. Kyle*

*Circuit Court Judge of the Twentieth Judicial Circuit*

*Charlotte County Justice Center*

*350 East Marion Avenue*

*Punta Gorda, FL 33950*

*(941) 637-2186*

---

**From:** Shelton, Jeremy

**Sent:** Friday, August 06, 2010 9:02 AM

**To:** Kyle, Keith

**Cc:** Embury, Jon

**Subject:** Trial Order

Judge Kyle,

Attached is the final version of the trial order that I will be using to set foreclosure trials.

Thank you,

*Jeremy J. Shelton*

Civil Case Manager

20th Judicial Circuit, Charlotte County

Administrative Office of the Courts

350 East Marion Avenue

Punta Gorda, Florida 33983

Email: [jshelton@ca.cjis20.org](mailto:jshelton@ca.cjis20.org)

Phone: 941.637.2100

This is unregistered version of Total Outlook Converter

**From:** Shelton, Jeremy </O=SAO20/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JSHELTON>

**To:** Cambareri, Kimberly

**CC:**

**Date:** 8/9/2010 7:52:18 AM

**Subject:** ?RE: Forms / word documents

---

Kim,

Ideally, I would like to have the ability to merge data into the forms from the database. I already have the forms as word docs. Also, Judge Kyle altered the language in the trial order, so you can toss out the one I gave you before, and replace it with the one attached to this email.

Thanks,

Thank you,

*Jeremy J. Shelton*

Civil Case Manager  
20th Judicial Circuit, Charlotte County  
Administrative Office of the Courts  
350 East Marion Avenue  
Punta Gorda, Florida 33983  
Email: [jshelton@ca.cjis20.org](mailto:jshelton@ca.cjis20.org)  
Phone: 941.637.2100

---

**From:** Cambareri, Kimberly  
**Sent:** Monday, August 09, 2010 8:00 AM  
**To:** Shelton, Jeremy  
**Subject:** Forms / word documents

Jeremy

Hello, sorry for the delay. But do you want these as forms just as word document with text boxes to type in or to be able to merge the data fromr the database.

Kimberly Cambareri  
Computer Programmer/Analyst  
20th Judicial Circuit Courts  
(239) 533-9103 work  
(239) 357-4506 mobile  
<mailto:kcambareri@ca.cjis20.org>

**From:** [Shelton, Jaremy </O=SAO20/OU=EXCHANGE ADMINISTRATIVE GROUP \(FYDIBOHF23SPDLT\)/CN=RECIPIENTS/CN=JSHELTON>](mailto:Shelton, Jaremy </O=SAO20/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=JSHELTON>)

**To:** [Kyle, Keith](#)

**CC:** [Embury, Jon](#)

**Date:** 8/9/2010 10:19:02 AM

**Subject:** ?RE: Trial Order

---

I apologize for the mistake. Hopefully it is successfully attached this time.

---

**From:** Kyle, Keith  
**Sent:** Monday, August 09, 2010 11:18 AM  
**To:** Shelton, Jaremy  
**Cc:** Embury, Jon  
**Subject:** RE: Trial Order

It was not attached – you'll see a little paperclip to the left if it successfully attaches... can you try again? Thanks! Happy Monday.

*Keith R. Kyle*  
*Circuit Court Judge of the Twentieth Judicial Circuit*  
*Charlotte County Justice Center*  
*350 East Marion Avenue*  
*Punta Gorda, FL 33950*  
*(941) 637-2186*

---

**From:** Shelton, Jaremy  
**Sent:** Friday, August 06, 2010 9:02 AM  
**To:** Kyle, Keith  
**Cc:** Embury, Jon  
**Subject:** Trial Order

Judge Kyle,

Attached is the final version of the trial order that I will be using to set foreclosure trials.

Thank you,

*Jaremy J. Shelton*  
Civil Case Manager  
20th Judicial Circuit, Charlotte County  
Administrative Office of the Courts  
350 East Marion Avenue  
Punta Gorda, Florida 33983  
Email: [jshelton@ca.cjis20.org](mailto:jshelton@ca.cjis20.org)  
Phone: 941.637.2100

## Starnes, Hugh E

---

**From:** Aloia, Nancy K  
**Sent:** Monday, August 09, 2010 1:12 PM  
**To:** Thompson, James; Starnes, Hugh E  
**Subject:** FW: Judicial Memorandum Requiring Order to Cancel Sale 8-10.pdf  
**Attachments:** Judicial Memorandum Requiring Order to Cancel Sale 8-10.pdf

This memo was signed by Judge McHugh and is being distributed. Sandi is sending out to the primary attorneys in foreclosure cases rather than in the local attorneys mailboxes. I can also have copies available for you on the bench.

I will check with Judge McHugh to see if he would like posted on our webpage so we can get the word out.

**From:** Sandi Sauls [<mailto:ssauls@leeclerk.org>]  
**Sent:** Monday, August 09, 2010 1:04 PM  
**To:** Aloia, Nancy K  
**Subject:** Judicial Memorandum Requiring Order to Cancel Sale 8-10.pdf



**From:** Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>

**To:** Sauls, Sandi

Johnston, Linda

**CC:** Aloia, Nancy K

**Date:** 9/1/2010 3:08:50 PM

**Subject:** Foreclosure time available in October on Fridays

---

Hello,

I noticed that for October Friday Summary Judgment dates, we have very few hearings currently scheduled. We have 198 cases set for Oct. 1, 98 cases on Oct. 8, 102 cases on Oct. 15, 50 cases set on Oct. 22 and 58 cases set for Oct. 29. This is a month with 5 Fridays so it would be great to set as many cases as possible on these Fridays. Would you all be willing to call your contacts at the foreclosure firms and see if they would set a lot of hearings for these dates. We allow 500 cases per Friday which is 250 in the a.m. and 250 in the p.m. Any other ideas would also be appreciated. Thank you!

John

P. S. Sandi- Do we have the August clearance rate yet for foreclosures?

**From:** Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>

**To:** Ederr, Suzanne

**CC:** Starnes, Hugh E

McHugh, Michael

Aloia, Nancy K

**Date:** 9/1/2010 12:19:36 PM

**Subject:** ?RE:

---

Thanks, Suzanne, for researching this issue for us. Much appreciated.

---

**From:** Ederr, Suzanne

**Sent:** Wednesday, September 01, 2010 12:44 PM

**To:** Carlin, John S.

**Subject:** RE:

Judge Carlin:

Rule 2.505 specifically addresses the way in which an attorney may appear in a case and the way in which an attorney's appearance may be terminated. An attorney may appear "[b]y substitution of counsel, but only by order of court and with written consent of the client, filed with the court." (emphasis added). Fla. R. Jud. Admin. 2.505(e)(2). Likewise, in the context of substitution of counsel, the appearance of the first attorney shall terminate "[b]y order of court, under the procedure set forth in subdivision (e)(2) of this rule." The filing of the stipulation is just the first step, but the firm language of the rule shows that the intent is that counsel cannot actually be considered substituted absent an order from the Court, and counsel cannot be considered relieved of his/her obligation absent an order from the Court.

I hope this helps to answer your question. Please advise if I can provide any further assistance.

- Suzanne

---

**From:** Carlin, John S.

**Sent:** Tuesday, August 17, 2010 1:57 PM

**To:** Ederr, Suzanne

**Cc:** Starnes, Hugh E; Aloia, Nancy K; McHugh, Michael

**Subject:**

Suzanne-

An issue came up today at a meeting discussing foreclosure matters. We are receiving a lot of Stipulations to Substitute Counsel with Orders for our judges to sign. The volume is quite high. My question is do we have to sign these Orders or can the original stipulation filed in the court file end the matter? Thank you for researching this issue for us.

**From:** Mravic, Deborah </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=DMRAVIC>

**To:** Pivacek, Cynthia

**CC:** Middlebrook, Mark

**Date:** 9/1/2010 12:09:20 PM

**Subject:** ?RE: scheduling hearings

---

I agree there is some confusion when many calls are getting transferred from office to office. At this point, any paperwork regarding hearings that need to be scheduled with the Magistrate or Senior judge, please forward to me and I will distribute to the appropriate person(i.e. Melanie, Diane or Nancy).

Regarding the phone calls, if it is regarding any type of scheduling problems, questions or cancellations on JACS please continue to forward to Nancy or Diane. Melanie is NOT knowledgeable enough on that to handle at this time nor can I handle the volume.

Melanie and I are going to Fort Myers on Tuesday to observe a backlog foreclosure docket (200 cases before Judge Starnes). I am trying to plan the next phase on what we need to do with our backlog cases and HOW.

I will get everyone together (Jodie, Jan, Diane, Lynn, Nancy, Melanie) in the next week to make sure there is an understanding regarding who is doing what!! It should be much smother once we have Judge Monaco as our Senior Judge on a weekly basis!!

Debbie

From: Pivacek, Cynthia  
Sent: Wednesday, September 01, 2010 9:24 AM  
To: Mravic, Deborah  
Cc: Middlebrook, Mark  
Subject: scheduling hearings

Debbie,

So far you are doing a great job with taking over and supervising this daunting task of organizing the foreclosure dockets. Thank you.

20TH CIR 04458

11\_29\_2010

In the past, when hearings needed to be set, we would send to Diane/Nancy. Now that additional time is being opened through the magistrate, I understand some scheduling is being done by Melody. I might be incorrect on this assumption.

Concern..I am sure we are all receiving many calls..unfortunately, not one person has been involved with the case so calls are being directed among the various offices. Due to the volume it is hard to know who they have talked to and what has been communicated...so the calls are very time consuming..plus the staff is having to communicate among themselves to straighten out the confusions. (generally created by the litigant)

Can we strategize and come up with one procedure for scheduling and one way to get the files to that person/office? That way, when we all get calls, we will know where to start . Diane and Nancy are doing a great job as well..but I think there is some general frustration with the phone calls.

**From:** Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>

**To:** Aloia, Nancy K

**CC:**

**Date:** 9/15/2010 12:07:50 PM

**Subject:** ?RE: Trial/Foreclosure update

---

Thanks for the update. Please let Penelope know when dates are cancelled so we don't pay the Senior Judge and we gain a day for future use. Thanks for staying on top of the mediations as these are critical to our success.

---

**From:** Aloia, Nancy K

**Sent:** Wednesday, September 15, 2010 12:43 PM

**To:** Carlin, John S.

**Subject:** Trial/Foreclosure update

Hello

Just an update: The foreclosure trial cancelled 2 hours before trial time because of settlement- so good news there. Judge Starnes did come in for signing which actually worked out to our benefit because Judge Thompson will not be in tomorrow. He was scheduled for trial/signings but he does not have any trials set. I have already notified him of the cancellation. In the event there are any time-sensitive matters that need review tomorrow, I will bring it to your attention or Judge McHugh's attention. Any general foreclosure signings will wait until Friday when Judge Starnes is in for review and the Foreclosure Friday docket.

Also, I am running the numbers now for the foreclosure project and we have scheduled over 4,300 docket soundings for October. We are presently setting the backlog for cases filed in April 2010. After we complete this list, we will go back to review the 2008 backlog to determine if we missed any cases needing to be set.

I have also been working with the Conant Center on the managed mediation cases. All appears to be going well with these cases and we are setting Order to Show Causes for non-compliance. These cases are being set before the Senior Judge's docket but parties are complying once scheduled. These numbers will affect our results for this project so I am in constant communication with Simon/Jonathon.

Thank you

*Nancy Aloia*

*Family/Civil Director*

*Twentieth Judicial Circuit*

*1700 Monroe Street, Ft. Myers, FL 33901*

*239-533-2991/Mobile 357-5641*

**From:** Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>

**To:** Poulston, Lisa

**CC:**

**Date:** 9/2/2009 2:19:20 PM

**Subject:** ?RE: Foreclosure Hearings

Thanks, Lisa, for following up with this email.

**From:** Poulston, Lisa

**Sent:** Wednesday, September 02, 2009 3:11 PM

**To:** Golden, Diana; Trammell, Cindy; Hamsharie, Deborah; Thompson, Lucinda

**Cc:** Carlin, John S.; McHugh, Michael; Gerald, Lynn; Rosman, Jay; Winesett, Sherra; Fuller, Joseph; Sauls, Sandi; Johnston, Linda

**Subject:** Foreclosure Hearings

I just met with Judge Carlin, Judge McHugh, Sandi Sauls and LJ regarding the foreclosure cases. It has been decided that starting immediately we can refer all calls regarding hearings for residential foreclosure cases to LJ for scheduling on Judge Richards' calendar. Please DO NOT give out LJ's phone number. They must contact her by email at ljohnston@leeclerk.org. This will be the procedure for all summary judgment hearings, motions to dismiss, motions to substitute plaintiff, etc. Again, this is for residential cases, not commercial. Please feel free to contact me if you have any questions.

Lisa K. Poulston  
Judicial Assistant to  
Honorable Michael T. McHugh  
Lee County Justice Center  
1700 Monroe Street  
Fort Myers, FL 33901  
239-533-2775  
lpoulston@ca.cjis20.org

\*\*\*\*\*

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\*\*\*\*\*

**From:** Sandi Sauls <ssauls@leeclerk.org>

**To:** McHugh, Michael

**CC:**

**Date:** 9/2/2010 1:49:46 PM

**Subject:** ?RE: Orders to Cancel sales

---

Did you ever get a response from Judges Rosman & Gerald? May we proceed?

Thank you,  
Sandi

---

**From:** McHugh, Michael [mailto:[Fla. R. Court 2.420](mailto:Fla.R.Court.2.420)]

**Sent:** Wednesday, August 25, 2010 10:42 AM

**To:** Hon. John S. Carlin; Sandi Sauls

**Cc:** Nancy Aloia

**Subject:** RE: Orders to Cancel sales

I do think that this is a reasonable process. I have discussed it with Judge Fuller and Judge Winesett and they both agree with this procedure. The three of us make a majority, but I will try and get with Judge Rosman and Gerald and make sure there are no objections.

---

**From:** Carlin, John S.

**Sent:** Thursday, August 19, 2010 4:01 PM

**To:** Sauls, Sandi; McHugh, Michael

**Cc:** Aloia, Nancy K

**Subject:** RE: Orders to Cancel sales

Just a point of clarification. I wanted the civil judges input to make sure that they agreed that they would sign any Order to Cancel sale that are presented to them the day before the sale and they would have to sign it by 2:00 to get the next day sale cancelled. The Senior Judges are signing all other foreclosure orders but we can't guarantee this quick of a turn around by a Senior Judge as they typically spend most of the day in court and sign at the end of the day which would be too late to cancel the next day sale. I know that people do take vacations, attend conferences so we could have a system where they covered for each other and I would also be willing to sign these if someone was not available. Mike, do you think this is reasonable or do you have any other thoughts?

---

**From:** Sandi Sauls [mailto:[ssauls@leeclerk.org](mailto:ssauls@leeclerk.org)]

**Sent:** Thursday, August 19, 2010 3:45 PM

**To:** McHugh, Michael

**Cc:** Carlin, John S.; Aloia, Nancy K

**Subject:** Orders to Cancel sales

If we receive an untimely Motion and Order to Cancel a (Foreclosure) Sale, may we return the pleadings to the attorney (with their \$50 reopen fee)? If yes, then the question is the definition of untimely. After talking to Judge Carlin we thought untimely could be any time after 10:00AM the day before the sale because we would have difficulty getting the Order to the Judge and having it returned to us in time to perform the cancellation process. Judge Carlin said we needed the Circuit Civil Judges approval before we could act on this. Also there may be "emergency" situations that need to be dealt with somehow. My only interest in this is to reduce the unnecessary paperwork for both the Judges and clerk. It may not even be a problem, but I have come to expect very little from the foreclosure mills. Could you possibly get a "ruling" from the Civil Judges on this if you think it has any merit? Thank you.

Thank you,

Sandi C Sauls  
Civil Division Manager  
239-533-9188

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**From:** Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>

**To:** Aloia, Nancy K

McHugh, Michael

**CC:**

**Date:** 9/23/2010 7:00:38 PM

**Subject:** ?Re: Foreclosure reduction project

---

We need to fill all of our Nov and Dec DS dates because we only have 50 Sr judge days left for foreclosures through June. Most of these May cases should be ready for a DS even if it turns out that the case needs some case management.

Are we using foreclosure Friday dates for continued DS dates?

-- Sent from my Palm Pre

---

On Sep 23, 2010 5:31 PM, Aloia, Nancy K <NAloia@CA.CJIS20.ORG> wrote:

Hello

We have set the foreclosure backlog for cases filed until the end of April 2010. We are ready to set cases filed in May 2010 but I am wondering if this may be too soon. Please let me know if you think we should hold on setting the May cases. I am concerned that we may receive an influx of calls/motions because we are setting too soon. We are presently using the DS dates for 11/30 and 12/1 to set these cases.

*We are in the process of reviewing our 2009 backlog right now to determine if we have missed any cases that should have been set for docket sounding. This should buy us a little time but this group moves quickly. They will be done in the next 2 weeks.*

Thank you

*Nancy Aloia*

*Family/Civil Director*

*Twentieth Judicial Circuit*

*1700 Monroe Street, Ft. Myers, FL 33901*

*239-533-2991/Mobile 357-5641*

From: [Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>](#)

To: [Aloia, Nancy K](#)

CC:

Date: 9/24/2010 9:02:50 AM

Subject: RE: Foreclosure reduction project

I really do not want to save SR days in December. I just want to set the number that we agreed to set on each DS date in December and we can go into June for December DS dates since that will be 6 months from June to the December DS. Keep on going through these cases.....charge ahead!! We can talk more if you want to.

From: Aloia, Nancy K

Sent: Thursday, September 23, 2010 9:26 PM

To: Carlin, John S.

Subject: RE: Foreclosure reduction project

Yes we can use those dates. I will economize and try to save some senior judge days. My biggest concern is that I may actually run out of cases to set. I will start setting the May cases and I will let you know when we are ready to set June.

From: Carlin, John S. <**Fla. R. Court 2.420**>

Sent: Thursday, September 23, 2010 8:00 PM

To: Aloia, Nancy K <NAloia@CA.CJIS20.ORG>; McHugh, Michael <**Fla. R. Court 2.420**>

Subject: Re: Foreclosure reduction project

We need to fill all of our Nov and Dec DS dates because we only have 50 Sr judge days left for foreclosures through June. Most of these May cases should be ready for a DS even if it turns out that the case needs some case management.

Are we using foreclosure Friday dates for continued DS dates?

-- Sent from my Palm Pre

On Sep 23, 2010 5:31 PM, Aloia, Nancy K <NAloia@CA.CJIS20.ORG> wrote:

Hello

We have set the foreclosure backlog for cases filed until the end of April 2010. We are ready to set cases filed in May 2010 but I am wondering if this may be too soon. Please let me know if you think we should hold on setting the May cases. I am concerned that we may receive an influx of calls/motions because we are setting too soon.

We are presently using the DS dates for 11/30 and 12/1 to set these cases.

*We are in the process of reviewing our 2009 backlog right now to determine if we have missed any cases that should have been set for docket sounding. This should buy us a little time but this group moves quickly.... They will be done in the next 2 weeks.*

Thank you

Nancy Aloia

Family/Civil Director

Twentieth Judicial Circuit

1700 Monroe Street, Ft. Myers, FL 33901

239-533-2991/Mobile 357-5641

20TH CIR 04465

**From:** [Richards, George </O=SAO20/OU=EXCHANGE ADMINISTRATIVE GROUP \(FYDIBOHF23SPDLT\)/CN=RECIPIENTS/CN=GRICHARDS>](#)

**To:** [Schreiber, Lee Ann](#)

[Kyle, Keith](#)

**CC:** [Conderman, Ellen](#)

**Date:** 9/3/2010 12:24:52 PM

**Subject:** ?RE: Mortgage foreclosure cancellation of sales by P upon ex-parte request

---

I think it would be good.

George

---

**From:** Schreiber, Lee Ann

**Sent:** Friday, September 03, 2010 12:10 PM

**To:** Richards, George; Kyle, Keith

**Cc:** Conderman, Ellen

**Subject:** Mortgage foreclosure cancellation of sales by P upon ex-parte request

The Circuit Civil Judges in Lee County have recently decided that they will impose a deadline of 10:00 a.m. the day before a scheduled sale in order to consider ex-parte motions to cancel. The motion must be in substantial conformity with the new FL Supreme Court form. The thinking is that the flow of paperwork from delivery to Judge's desk, review/consider ex-parte to a return of Order cancelling sale to clerk, if appropriate.

Do you think we might adopt a similar policy to try to have consistency across the Circuit?

See you next week. Have a nice (long) weekend.

Lee

## Starnes, Hugh E

---

**From:** Aloia, Nancy K  
**Sent:** Thursday, September 30, 2010 5:46 PM  
**To:** Diamond, Stella; Hawthorne, Amy; Starnes, Hugh E; Thompson, James  
**Subject:** Docket sounding - not scheduled properly on docket

**Importance:** High

Hello

**Just wanted to alert you to a problem with the dockets:**

I was just informed that we had some cases scheduled for continued docket sounding that were set incorrectly: *correct date and time-wrong Judge/ Magistrate*. The error occurred when the user entered the case into JACS and forgot to change the name of the Judge/Magistrate. This only occurs when we have more than one docket running for the same date.

**Problem:** This doesn't present a problem when the Judge hears a case noticed before the Magistrate but it does present a problem for the Magistrates since an Order of Referral would not have been entered in the case.

**Solution:** **The Magistrate's clerk will alert the Judge's clerk that the case is an add-on to the docket and the case will be moved to the proper courtroom.**

I apologize for any inconvenience this has caused or is causing in the courtroom. With the high number of docket soundings we are scheduling, I expect that we will have some errors along the way.

Thank you

*Nancy Aloia*

*Family/Civil Director*

*Twentieth Judicial Circuit*

*1700 Monroe Street, Ft. Myers, FL 33901*

*239-533-2991/Mobile 357-5641*

**From:** Carlin, John S. </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=JSC5225>

**To:** McHugh, Michael

**CC:**

**Date:** 9/8/2009 9:34:32 AM

**Subject:** ?RE: Judge Richards - Foreclosure

---

Thanks, Mike, for sending this out. I apologize for my delayed response to your email last week. I think that it looks great. We'll see if there are any comments.

---

**From:** McHugh, Michael

**Sent:** Tuesday, September 08, 2009 9:44 AM

**To:** Gerald, Lynn; Winesett, Sherra; Rosman, Jay; Fuller, Joseph; Golden, Diana; Hamsharie, Deborah; Trammell, Cindy; Thompson, Lucinda; Poulston, Lisa

**Cc:** Carlin, John S.; Cary, G. Keith; Sauls, Sandi; Johnston, Linda

**Subject:** Judge Richards - Foreclosure

Attached is my first draft of the procedures I put together for the use of Judge Richards for Foreclosures. Let me know your thoughts so we can revise this document as appropriate.

**From:** Golden, Diana </O=SAO20/OU=CACJIS/CN=RECEIPTS/CN=DG2228>

**To:** McHugh, Michael

**CC:**

**Date:** 9/8/2009 1:27:58 PM

**Subject:** ?RE: Judge Richards - Foreclosure

---

Okay thanks.

From: McHugh, Michael

Sent: Tuesday, September 08, 2009 2:28 PM

To: Golden, Diana

Subject: RE: Judge Richards - Foreclosure

As long as they are on residential foreclosures they should go to LJ.

---

From: Golden, Diana

Sent: Tuesday, September 08, 2009 2:24 PM

To: McHugh, Michael

Subject: RE: Judge Richards - Foreclosure

Hi Judge McHugh,

I have a question with reference to foreclosures.....are we sending Orders to Show Cause on Foreclosures to LJ for dates too?

Diana

From: McHugh, Michael

Sent: Tuesday, September 08, 2009 9:44 AM

To: Gerald, Lynn; Winesett, Sherra; Rosman, Jay; Fuller, Joseph; Golden, Diana; Hamsharie, Deborah; Trammell, Cindy; Thompson, Lucinda; Poulston, Lisa

Cc: Carlin, John S.; Cary, G. Keith; Sauls, Sandi; Johnston, Linda

Subject: Judge Richards - Foreclosure

**20TH CIR 04469**

Attached is my first draft of the procedures I put together for the use of Judge Richards for Foreclosures. Let me know your thoughts so we can revise this document as appropriate.

**From:** Linda Johnston <ljohnston@leeclerk.org>

**To:** McHugh, Michael

**CC:**

**Date:** 9/8/2009 8:50:30 AM

**Subject:** ?RE: Judge Richards - Foreclosure

---

Good Morning Judge,

Just wanted to let you know that I spoke with Judge Carlin regarding telephonic hearings for Judge Richards docket and he said no not at this time.

---

**From:** McHugh, Michael [mailto:[Fla. R. Court 2.420](mailto:Fla. R. Court 2.420)]

**Sent:** Tuesday, September 08, 2009 9:44 AM

**To:** Hon. Lynn Gerald, Jr.; Hon. Sherra Winesett; Hon. Jay B. Rosman; Fuller, Joseph; Diana Golden; Hamsharie, Deborah; Cindy Trammell; Lucinda Thompson; Lisa Poulston

**Cc:** Hon. John S. Carlin; Cary, G. Keith; Sandi Sauls; Linda Johnston

**Subject:** Judge Richards - Foreclosure

Attached is my first draft of the procedures I put together for the use of Judge Richards for Foreclosures. Let me know your thoughts so we can revise this document as appropriate.

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**From:** Aloia, Nancy K </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=NKW2884>

**To:** Trammell, Cindy

Golden, Diana

Thompson, Lucinda

Repperger, Kathryn

Conderman, Ellen

Hamsharie, Deborah

**CC:** McHugh, Michael

Reduga, Scott

Winesett, Sherra

**Date:** 7/8/2010 6:31:34 PM

**Subject:** Foreclosure information

---

Hello

Me again. Here are the questions I received today:

- 1) Names/Numbers of Magistrate and Assistant? Magistrate Stella Diamond started this week. Her assistant is Craig Freeman and he begins Monday, 7/12. They are located on the first floor judicial pod next to the Child Support Hearing Officers (previously where Judge Thompson was located). Magistrate Amy Hawthorne is part-time and she begins August 10. Her part-time assistant is Shannon Dolson and she started last week. They will be on the third floor- Judicial office (previously where Judge E. Adams was located). Shannon is working out of DV Office right now while she is being trained on notices and Odyssey. (I will provide numbers shortly)
- 2) Where are their hearings and courtroom? Magistrate Diamond will use 1-B and Magistrate Hawthorne will use 5-I.
- 3) Will they receive all M F/C paperwork (Exparte motions)? I think this was answered earlier by separate email. On 8/1, Scott Reduga will receive all of the motions/paperwork to provide to the Senior Judges and or set on an available calendar before the Senior Judge or Magistrate. Anything time sensitive matters should be marked since we do not have a Senior Judges here every day and do not want to miss anything. We are still working out how all of this will work but we will have one central location for the paperwork received. Until 8/1, cases are still being handled by Judge Schreiber.
- 4) Who will sign the orders? If only Judges, is it only 2 weeks a month? The Judges are here throughout the month and not necessarily at 2 week intervals. The Senior Judges' calendar may overlap on some days but for the most part we are identifying separate days for each Senior Judge throughout the month. The schedule is not the same as it was for Judge Schreiber with a 2-week rotation. We may not have a Senior Judge available for signing every day and will need to work through how this will operate when review and signatures are needed immediately.
- 5) What are the Magistrates hearing and what are the Snr judges hearing? Foreclosure Fridays continue with uncontested Motion for Summary Judgment handled by the Snr Judges. Other dockets before the Magistrate and Senior Judges are mixed with contested hearings, docket soundings and motions for Summary judgment.
- 6) Who will handle emergency motions? This will again depend on the Senior Judges' calendar and the dockets. Scott will be provided a calendar for days that the Senior Judges are available. We will set up a system with the Senior Judges on how they would like for us to handle. We will be meeting with them some time in the next week. I will provide more information as it becomes available.

20TH CIR 04472

11\_16\_2010

Calls concerning foreclosures may be addressed to Sharon English, Civil Case Manager, or myself. She can be reached at 533-2801 and my number is below. The procedures for scheduling residential foreclosures remains the same and all are required to email the Massforeclosure email account. Foreclosures information has been provided on the court's webpage. The clerk continues to assist us with the scheduling of these cases. Docket Soundings are being scheduled by Court Admin using the Magistrate Assistants and internal staff being pulled from various depts. We started with the oldest cases first and are halfway through 2008.

Thank you – Nancy

Nancy Aloia

Family/Civil Director

Twentieth Judicial Circuit

1700 Monroe Street, Ft. Myers, FL 33901

239-533-2991/Mobile 357-5641

Fishbeck, Eric

---

**From:** Fishbeck, Eric  
**Sent:** Friday, October 15, 2010 12:45 PM  
**To:** Callanan, Richard  
**Subject:** RE: Foreclosures - Number and Banks cancelling hearings(HIGH PRIORITY)  
**Attachments:** Moratorium-Report-Oct2010.pdf; Moratorium-Report-Oct2010.docx  
  
**Importance:** Low

Nancy's still cleaning up Kim's report; she provided assurance that it will be here 12:45; however, I didn't want you to not see what we're working towards,

**Eric Fishbeck**  
**20th Judicial Circuit**  
**Office: 239.533.1719**  
**Fax: 239.533.1702**

---

**From:** Callanan, Richard  
**Sent:** Friday, October 15, 2010 11:30 AM  
**To:** Fishbeck, Eric  
**Subject:** RE: Foreclosures - Number and Banks cancelling hearings(HIGH PRIORITY)

Eric

Kim Cambo says she sent Nancy report today...

I have a meeting with Chief at 115

---

**From:** Fishbeck, Eric  
**Sent:** Friday, October 15, 2010 11:17 AM  
**To:** Callanan, Richard  
**Subject:** RE: Foreclosures - Number and Banks cancelling hearings(HIGH PRIORITY)

Dear Mr. C.,

I double checked with Sandy, and it seems that Nancy wasn't (yet) to get us a report. I simply misread – I'm currently running a Hyperion report, and I should be able to update you shortly,

**Eric Fishbeck**  
**20th Judicial Circuit**  
**Office: 239.533.1719**  
**Fax: 239.533.1702**

---

**From:** Callanan, Richard  
**Sent:** Wednesday, October 13, 2010 4:31 PM  
**To:** Aloia, Nancy K; Middlebrook, Mark; Mann, Sheila  
**Cc:** Fishbeck, Eric; Cary, G. Keith  
**Subject:** FW: Foreclosures - Number and Banks cancelling hearings(HIGH PRIORITY)

FYI. Here is Charlotte's report on foreclosure cancellations.

---

**From:** Shelton, Jeremy  
**Sent:** Monday, October 11, 2010 2:46 PM  
**To:** Callanan, Richard  
**Cc:** Embury, Jon  
**Subject:** RE: Foreclosures - Number and Banks cancelling hearings(HIGH PRIORITY)

Rick,

Attached is a breakdown of the cancellations we've seen for our summary judgment hearings in October. I included the information from JACS for each case cancelled which includes the dates/times cancelled and comments entered by the cancelling attorneys. A majority of the cases is coming from Bank of America, but a number of other banks are cancelling as well, and local counsel have indicated that they are expecting more (some have received instructions to cancel all hearings.)

Our tentative plan is to ensure that these cancelled hearings get scheduled for trial in December.

Thank you,

*Jeremy J. Shelton*

Civil Case Manager  
20th Judicial Circuit, Charlotte County  
Administrative Office of the Courts  
350 East Marion Avenue  
Punta Gorda, Florida 33983  
Email: jshelton@ca.cjis20.org  
Phone: 941.637.2100

---

**From:** Embury, Jon  
**Sent:** Monday, October 11, 2010 12:22 PM  
**To:** Shelton, Jeremy  
**Subject:** FW: Foreclosures - Number and Banks cancelling hearings(HIGH PRIORITY)  
**Importance:** High

Here is the article I forgot print.

---

**From:** Callanan, Richard  
**Sent:** Monday, October 11, 2010 10:52 AM  
**To:** Aloia, Nancy K; Embury, Jon; Mann, Sheila; Middlebrook, Mark  
**Cc:** Fishbeck, Eric; Cary, G. Keith  
**Subject:** FW: Foreclosures - Number and Banks cancelling hearings(HIGH PRIORITY)  
**Importance:** High

Dear All

Chief needs a report from all counties on # of foreclosure cases that have been cancelled, by event and banks/firms cancelling. We should get the report for 10/1/10 to 10/11/10. –if you were getting cancellations prior to then, let us know that and the numbers/banks involved.

**EXAMPLE**

County: COLLIER

Time period: ( 9/10-10/10) or other.

Hearing Date	Hearing Type	#Cancelled	Bank ( if known)	Next event set/date?
10/4/10	Default/ Summary Judgment Cancelled in JACS 9/28/10	15	GMAC (10), BOA (5)	NONE YET
10/5/10	Contested Hearing/Trial Counsel NO Show/Dismissal	5	GMAC (5)	N/A
10/8/10	Clerk – Foreclose. Sale Cancelled 10/7/10	2	JP Morgan	11/8/10

COMMENTS: GMAC indicates to Case Manager on 10/1/10 that all hearings will be cancelled; No other firms/banks have provided notice of moratorium; No info available from clerk on # sales cancelled prior to 10/8

Please get information to Eric by Thursday 10/14. Call Eric or I if you have any questions. Thanks

*Richard Callanan, Trial Court Administrator  
20th Judicial Circuit  
1700 Monroe Street  
Fort Myers, FL. 33901  
239 533-1712*

---

**From:** Cary, G. Keith  
**Sent:** Monday, October 11, 2010 9:51 AM  
**To:** Callanan, Richard  
**Cc:** Cary, G. Keith  
**Subject:** Foreclosures  
**Importance:** High

Happy Monday !

I don't feel like I have a real handle on what is happening in our circuit with the recent mortgage "moratorium", of course it all happened so fast I am not sure any of us do. So that we can have a better understanding I am suggesting you appoint someone in AOC to be our point person and collect data on this issue. I would like to have a brief report ready by next Monday for the JAC conference call at noon. This will also allow us to give direction to our staff/magistrates/judges as to our plan of attack.

Questions I have are: What banks have canceled hearings? Number of cancellations? Number of sales canceled? Number of trials canceled or continued? Number of voluntary dismissals? When a bank comes in on a hearing date and says they need time to get a new affidavit are we granting continuances? Are we resetting for another hearing or just setting for trial?

I have attached something from today's NewsPress showing names of banks, do we have anything like this?

I think before we can make decisions on how to move forward we need to know what we are facing. It maybe that the majority of the other banks are not having issues with their files?

FYI...I am here today, gone to Glades tomorrow all day, Jacksonville Wednesday and Thursday for CFA commission meetings, back here on Friday, I am speaker at Bar Lunch, so if we need to get together looks like Monday or Friday.

G. Keith Cary  
Chief Judge - Twentieth Judicial Circuit  
**Lee, Collier, Charlotte, Hendry and Glades Counties**  
1700 Monroe Street  
Fort Myers, FL 33901  
**Fla. R. Court 2.420**  
[www.ca.cjis20.org](http://www.ca.cjis20.org)

**Recipient**

Callanan, Richard

**Delivery**

Delivered: 10/15/2010 12:45 PM

**From:** Winesett, Sherra </O=SAO20/OU=CACJIS/CN=RECIPIENTS/CN=SWINESETT>

**To:** Richards, George

Fuller, Joseph

McHugh, Michael

Gerald, Lynn

Schreiber, Lee Ann

Rosman, Jay

Kyle, Keith

Cary, G. Keith

Carlin, John S.

**CC:** Embury, Jon

**Date:** 7/7/2010 5:17:14 PM

**Subject:** ?RE: Foreclosures

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I haven't seen anything re such a moratorium. Do you have any additional details you can provide?

From: Richards, George

Sent: Tuesday, July 06, 2010 4:45 PM

To: Winesett, Sherra; Fuller, Joseph; McHugh, Michael; Gerald, Lynn; Schreiber, Lee Ann; Rosman, Jay; Kyle, Keith; Cary, G. Keith; Carlin, John S.

Cc: Embury, Jon

Subject: Foreclosures

Judges,

Today I saw the first motion and order cancelling a foreclosure sale because of "a moratorium put in place as a result of the Gulf of Mexico oil spill".

Has anyone seen this or related motions, and will it halt all foreclosure matters?

George