

# Attachment #1

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

CASE NO: 502008CP001929XXXXSB  
PROBATE DIVISION: IY

IN RE: THE ESTATE OF  
STANLEY ACKER,  
Deceased.

---

## ORDER OF RECUSAL

**SUA SPONTE**, This Court hereby recuses itself in connection with the above styled case and directs that the Clerk of Court randomly reassigns this case to another circuit court judge.

**DONE and ORDERED** in chambers, at Delray Beach, Palm Beach County, Florida, this 16<sup>th</sup> day of July, 2012.

---

MARTIN H. COLIN  
Circuit Judge

**SIGNED & DATED**  
JUL 16 2012  
JUDGE MARTIN H. COLIN

Copies furnished:  
Adrian P. Thomas, Esquire  
Suntrust Center – Suite 1050  
515 East Las Olas Blvd.  
Fort Lauderdale, Fl. 33301

Matthew Triggs, Esquire  
2255 Glades Road, Suite 340 West  
Boca Raton, Fl. 33431

Ronald E. Crescenzo, Esquire  
515 North Flagler Drive, 20<sup>th</sup> Floor  
West Palm Beach, Fl. 33401

Charles A. Lubitz, Esquire  
515 North Flagler Drive, 19<sup>th</sup> Floor  
West Palm Beach, Fl. 33401







IN THE CIRCUIT COURT OF THE 15TH  
JUDICIAL CIRCUIT IN AND FOR PALM  
BEACH COUNTY, FLORIDA

CASE NO.: 502008CP001929XXXSB IY

IN RE:

THE ESTATE OF STANLEY ACKER  
\_\_\_\_\_ /

MARK ACKER,

Petitioner,

v.

KAREN ACKER, individually and as Co-  
Personal Representative of the Estate of  
Stanley Acker, and DAVID ACKER,  
individually, and as Co-Personal Representa-  
tive of the Estate of Stanley Acker

Respondents.  
\_\_\_\_\_ /

July 16<sup>th</sup> 2010

Judge Colin

**AGREED ORDER ON PETITIONER/PLAINTIFF'S MOTION  
TO PROHIBIT PAYMENT OF ATTORNEYS' FEES FROM TRUST**

This cause is before the Court on Petitioner/Plaintiff Mark Acker's Motion to Prohibit Payment of Attorneys' Fees From Trust (the "Motion"). The Court, having reviewed the Motion, having been advised that the parties agree to the relief ordered herein, and being otherwise fully advised in the premises, it is hereby

ORDERED and ADJUDGED that:

1. The Motion is GRANTED without prejudice to any party's right to seek at or following the trial of this action, within such time as may be prescribed by law, the reimbursement or payment of attorneys' fees and costs, whether from the Trust and/or Estate, from a particular party's interests in the Trust and/or Estate, or from any other source, including

lcl/clc



the various corporations or other legal entities whose shares or other ownership interests are assets, directly or indirectly, of the Trust and/or Estate (the "Corporations"), and without prejudice to any party's right to seek at or following the trial of this action, within such time as may be prescribed by law, any other relief pertaining to attorneys' fees and costs as may be appropriate, whether with respect to the Trust, the Estate, or the Corporations.

2. Until such time as the Court orders otherwise, the parties hereto shall not use any funds or assets of the Trust, Estate and/or the Corporations to pay attorneys' fees and costs incurred since November 10, 2009 in pursuing or defending this action.

Karen + David Acker Fighting Mark Acker AFTER Settlement Agreement was signed

3. Until such time as the Court orders otherwise, the parties hereto shall not use any funds or assets of the Trust, Estate and/or the Corporations to pay attorneys' fees and costs incurred since November 10, 2009 in connection with the litigation commenced by Arlene Acker, Case No. 2009/603 in the Surrogate's Court of the State of New York, County of Rockland.

\* How is Estate Trust Paying For This CASE as of 2014'

4. Until such time as the Court orders otherwise, the parties hereto shall not use any funds or assets of the Trust, Estate and/or the Corporations to pay attorneys' fees and costs incurred since November 10, 2009 in connection with the litigation styled as Acker Realities, Inc., et al. v. Mark Acker, Case No. 601262/09 in the Supreme Court of the State of New York, County of New York.

(Tannenbaum AFTER Settlement Agreement Did charge + Received money to close case.)

5. Karen Acker and David Acker ("Defendants/Respondents") shall, within 10 days of the date of this Order, refund to the Trust any payments previously made from the Trust for attorneys' fees and costs incurred since November 10, 2009 in defending this action or in connection with the actions referenced in paragraphs 3 and 4 above.



Only Court  
pre-  
Settlement  
Agreement

6. Defendants/Respondents' refund of, and agreement to refund, any sums to the Trust, Estate and/or the Corporations shall not be used by Petitioner/Plaintiff in any proceeding, and shall not be admissible in any proceeding, to argue or otherwise suggest any wrongdoing on the part of the Defendants/Respondents with respect to payments previously made from the Trust, the Estate or the Corporations.

7. **Until such time as the Court orders otherwise, Defendants/Respondents shall be permitted to use funds or assets of the Trust to pay attorneys' fees and costs incurred in connection with the administration of the Trust and/or the Estate.** Within 10 days of any payment(s) made by Defendants/Respondents from the funds or assets of the Trust to pay attorneys' fees and costs incurred in connection with the administration of the Trust and/or the Estate, Defendants/Respondents shall provide to Plaintiff/Petitioner, directly or through counsel, copies of invoice(s) and check(s) corresponding to such payment(s).

8. Nothing contained herein is intended, or should be interpreted to conclude, that this Court has jurisdiction over the Corporations.

DONE AND ORDERED at Delray Beach, Palm Beach County, Florida on this \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Circuit Judge JUN 16 2010

JUDELL

Copies furnished to:

Steven E. Brust, Esq.  
James R. McCachren, III  
Smith, Gambrell & Russell, LLP  
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Jacksonville, Florida 32202  
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*Co-Counsel for Respondents/Defendants*

Matthew Triggs, Esq.  
Jonathan Galler, Esq.  
PROSKAUER ROSE LLP  
2255 Glades Rd., Ste 340-W  
Boca Raton, FL 33437  
*Attorneys for Respondents/Defendants*



Attachment # 4 pg 1 of 2



Proskauer Rose LLP 2256 Glades Road, Suite 421 Atrium Boca Raton, FL 33431-7380

Matthew Triggs  
Member of the Firm  
d 561.995.4736  
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mtriggs@proskauer.com  
www.proskauer.com

July 1, 2011

Via Hand-Delivery

The Honorable Martin H. Colin  
Palm Beach County Courthouse  
Second Floor  
200 West Atlantic Avenue  
Delray Beach, FL 33444

Re: In re: The Estate of Stanley Acker  
Palm Beach County Circuit Court Case No. 502008CP001929XXXXSBIY

Dear Judge Colin:

Please find enclosed a courtesy copy of Respondents' Motion for Reconsideration of the "Final Order Denying All Parties Attorney Fees and Costs Concerning Paragraph 6 of this Court's April 11, 2011 Order."

Thank you for your attention to this matter.

Respectfully submitted,

Matthew Triggs

Enclosures

cc: Michael A. Berg, Esq. (by fax w/enclosure)  
Marvin T. Bornstein, Esq. (by fax w/enclosure)  
Jamie B.W. Stecher, Esq. (by fax w/enclosure)  
Christopher P. Taylor, Esq. (by fax w/ enclosure)

PROSKAUER  
Lost  
WASTED Estate  
/ Trust money on  
This Appeal!



IN THE CIRCUIT COURT OF THE 15TH  
JUDICIAL CIRCUIT IN AND FOR PALM  
BEACH COUNTY, FLORIDA

CASE NO.: 502008CP001929XXXXSB IY

IN RE:

THE ESTATE OF STANLEY ACKER  
\_\_\_\_\_ /

MARK ACKER,

Petitioner,

v.

KAREN ACKER, individually and as Co-  
Personal Representative of the Estate of  
Stanley Acker, and DAVID ACKER,  
individually, and as Co-Personal Representative  
of the Estate of Stanley Acker

Respondents.  
\_\_\_\_\_ /

**RESPONDENTS' MOTION FOR RECONSIDERATION OF  
"FINAL ORDER DENYING ALL PARTIES ATTORNEY FEES AND COSTS  
CONCERNING PARAGRAPH 6 OF THIS COURT'S APRIL 11, 2011 ORDER"**

Respondents, Karen Acker and David Acker ("Respondents"), by and through their undersigned counsel, respectfully request reconsideration of this Court's "Final Order Denying All Parties Attorney Fees and Costs Concerning Paragraph 6 of this Court's April 11, 2011 Order," dated May 26, 2011 (the "Order") because (i) the Order was premised on an Illinois case that has been reversed by the Illinois Supreme Court and (ii) the applicable legal standard for determining whether a party has "substantially prevailed" for purposes of determining whether to award attorneys' fees has been addressed by Florida courts. In support thereof, Respondents state:



IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA  
PROBATE /GUARDIANSHIP DIVISION "IY"

CASE NO. 502008CP001929XXXXSB

IN RE: ESTATE OF  
STANLEY ACKER,

\_\_\_\_\_ /

MARK ACKER,  
Petitioner,

7/7/11

v.

KAREN ACKER, individually and as Co-Personal  
Representative of the Estate of Stanley Acker, and  
DAVID ACKER, individually, and as Co-Personal  
Representative of the Estate of Stanley Acker,  
Respondents.

\_\_\_\_\_ /

**ORDER DENYING RESPONDENTS' MOTION FOR RECONSIDERATION**

**THIS CAUSE** came to be heard on Respondents' Motion for Reconsideration. Upon consideration, Respondents' Motion for Reconsideration of the Final Order Denying All Parties Attorney Fees and Costs dated May 26, 2011 is **Denied**.

The Court discusses for the benefit of the parties some of the reasoning for this Order.

First, Respondents' are correct that the Court instructed the parties not to furnish the Court, after the hearing in this matter, with case law. However, the point in the order herein that is important is that no case law defining the agreement term "more substantially prevailed" was provided at the hearing.

Second, there is still no case in Florida furnished by counsel that defined the term "more substantially prevailed". It is true that the appellate level case of Murphy was reversed by the Illinois Supreme Court, but that was on other grounds.

7/7/11



The Court's research found that term defined in the Murphy case previously provided.

Third, is that the Florida case of Hamilton v. Ford Motor Company 936 So. 2<sup>nd</sup> 1203 (4 DCA 2006) does have a discussion of the term "substantially prevailing party" therein, in the context of the Florida Lemon Law. The definition provided in that case is "whether the party succeeded on any significant issue in litigation which achieves some of the benefit the parties sought in bringing suit". In this Acker case, each party succeeded on at least one significant issue for which he/she benefited with request to the instant litigation.

Fourth, is that the parties choose to use the term "more substantially prevailed" in their agreement. The term did not arise from a statute or case law. Using the Murphy definition, which is sensible, neither party more substantially prevailed herein.

**DONE AND ORDERED** in chambers, at Delray Beach, Palm Beach County, Florida this 7<sup>th</sup> day of July, 2011.

**SIGNED & DATED**

**JUL 07 2011**

**MARTIN H. COLIN**  
Circuit Court Judge

**JUDGE MARTIN H. COLIN**

Copies furnished:

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Boca Raton, Fl. 33431



Jamie B.W. Stecher, Esquire  
Co-Counsel for Respondents/Defendants  
900 Third Avenue  
New York, New York 10022-4775



1 IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
2 IN AND FOR PALM BEACH COUNTY, FLORIDA  
3 CASE No.2008 CP001929

4 IN RE: THE ESTATE OF STANLEY ACKER

5 Deceased,

6 \_\_\_\_\_/  
7 MARK ACKER,

8 Petitioner,

VOLUME III

9 -vs-

10 KAREN ACKER, et al.,

11 Respondents.  
12 \_\_\_\_\_/

13 CONTINUED EVIDENTIARY HEARING BEFORE THE HONORABLE  
14 DAVID FRENCH

15  
16 Thursday, October 17, 2013  
17 South County Courthouse  
18 Delray Beach, Florida 33444  
19 10:14 a.m. - 4:48 p.m.

20 Reported By:  
21 Debra Duran-Bornstein, RPR  
22 Notary Public, State of Florida  
23 Debra Duran & Associates  
24 PH: 561.313.8000  
25



1 What my view is that it is inappropriate when Judge  
2 Colin has ruled that they're not the prevailing  
3 party for them to come and then try to take that  
4 money and be paid from the estate. I believe there  
5 has already been a ruling on it.

6 THE COURT: No. I think what -- I don't  
7 understand. A motion to compel. Two motions to  
8 compel. Twenty motions to compel. It doesn't make  
9 any difference. How does that generate -- and I  
10 presume the other side spent the same amount of  
11 time and so forth?

12 MR. MCGOWEN: I would respectfully disagree  
13 with that, your Honor.

14 THE COURT: How does that generate \$100,000 in  
15 legal fees?

16 MR. GALLER: Your Honor, if I can shed a  
17 little bit of light on that. Although it's not to  
18 say anything different than what Mr. Triggs has  
19 already said, which is that we heard your Honor,  
20 and we suggest as well, that we excise that amount  
21 out.

22 But just to answer the question, these were  
23 motions to compel compliance with the settlement  
24 agreement, the latter of which involved a several  
25 hour long evidentiary hearing which involved much



1 preparation. I have the hearing transcript here.  
2 There was a lot of testimony taken. There were a  
3 lot of documents put into evidence. And so it  
4 wasn't your standard -- it's not like a motion to  
5 compel compliance with a discovery request. This  
6 was a larger ordeal.

7 THE COURT: That's your explanation?

8 MR. GALLER: I'm only trying to shed light on  
9 what was involved in the two motions to compel  
10 compliance.

11 THE COURT: And you folks have stipulated to  
12 the amount of time and effort and reasonable and  
13 necessary?

14 MR. GALLER: You're asking if we're willing to  
15 stipulate to the \$107,000 figure?

16 THE COURT: All of you. Did you not say that  
17 you stipulated, you don't question the hourly rate,  
18 and you don't question the amount of time that was  
19 spent on any particular thing?

20 MR. MCGOWEN: I -- no. We don't disagree with  
21 the rates and the hours. It's certain things did  
22 not benefit the estate. This is one of them. This  
23 is the only --

24 THE COURT: That's what I'm having trouble  
25 with here, gentlemen. That's where I'm having



1 trouble. Is it because both sides just gouged the  
2 heck out of their clients and nobody really wants  
3 to address that issue?

4 How do you get \$107,000 on a motion to compel?  
5 How does that happen? You can try a month long  
6 medical malpractice case and not spend that kind of  
7 money. How does that happen?

8 MR. TRIGGS: Your Honor, I don't know that the  
9 figure is correct.

10 THE COURT: All right. All right. Do you  
11 stipulate that 107,000 apparently deals with this  
12 issue that Judge Colin dealt with?

13 MR. TRIGGS: I have not seen their breakout,  
14 your Honor. I would be more than happy to take --  
15 if we can take a recess, I could look at the  
16 figures. It sounds high to me, your Honor.

17 THE COURT: Okay. You know, we've gotten into  
18 this thing. I'm sitting here at this particular  
19 stage with about an hour and 40 minutes maybe left,  
20 maybe an hour and a half max. I really -- all I  
21 have is some global figures that make absolutely no  
22 sense to me. None whatsoever, without some  
23 specific breakdowns as to what was beneficial, what  
24 isn't in terms of dollar-wise.

25 This court is not going to go through these



# Attachment # 7

NY

10/29/13

To commence the statutory time period of appeals as of right (CPLR 5513[a]), you are advised to serve a copy of this order with notice of entry, upon all parties.

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ROCKLAND

-----X

THE STANLEY ACKER FAMILY LIMITED  
PARTNERSHIP and ORCHARD REALTY, INC.,

Plaintiffs,

**DECISION AND ORDER**  
Index No.: 10097/10

-against-

DEPAULIS ENTERPRISES V LTD.; 303-9W  
CO., LLC; 289 N. ROUTE 303, LLC; GIUSEPPE  
DEPAULIS; ERIC BERGSTOL and the  
TOWN OF CLARKSTOWN,

Lost & Appealing

Defendants.  
-----X

LOEHR, J.

The following papers numbered 1-6 were read on the motion of the Defendants, other than the Town of Clarkstown,<sup>1</sup> and the cross motion of the Plaintiffs, for summary judgment.

	<u>Papers Numbered</u>
Notice of Motion - Affirmation - Affidavits - Exhibits	1
Memorandum of Law in Support	2
Notice of Cross Motion - Affirmations - Exhibits	3

<sup>1</sup> Having said that, the Court notes that while one Answer was filed by all of the Defendants other than the Town of Clarkstown, 289 N. Route 303, LLC was not included in that Answer. Whether this was intentional or an oversight was made more problematic as Defendants' counsel says he represents all the Defendants other than the Town of Clarkstown but then did not move on behalf of 289 N. Route 303, LLC, and then Plaintiff, in its cross-motion, did not independently serve 289 N. Route 303, LLC.



# Attachment # 8

## Supreme Court of the State of New York Appellate Division: Second Judicial Department

M166776  
E/ct

PETER B. SKELOS, J.P.  
RUTH C. BALKIN  
THOMAS A. DICKERSON  
LEONARD B. AUSTIN, JJ.



2013-08047

DECISION & ORDER ON MOTION

In the Matter of Stanley Acker, deceased.  
Karen Acker, et al., appellants; Arlene Acker,  
respondent.

(File No. 603/09)



Motion by the respondent to dismiss an appeal from an order of the Surrogate's Court, Rockland County, dated July 10, 2013, on the ground that the record on appeal is inadequate, to direct the appellants to serve and fill a supplemental record, or for the Court to take judicial notice of certain documents. Cross motion by the appellants to impose a sanction upon the respondent and for an award of costs and an attorney's fee.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the branch of the motion which is to direct the appellants to serve and file a supplemental record containing the affirmation of Donald J. Farinacci dated November 1, 2012, and the supplemental affirmation of Donald J. Farinacci dated November 27, 2012, with attached exhibits, annexed to the respondent's motion papers as Exhibits J and K is granted, and on or before January 6, 2014, the appellants shall serve and file a supplemental record containing that material; and it is further,

ORDERED that the motion is otherwise denied; and it is further,

ORDERED that the cross motion is denied.

SKELOS, J.P., BALKIN, DICKERSON and AUSTIN, JJ., concur.

ENTER:

A handwritten signature in cursive script, reading 'Aprilanne Agostino'.

Aprilanne Agostino  
Clerk of the Court

December 18, 2013

MATTER OF ACKER, DECEASED



NY

To commence the statutory time period for appeals as of right (CPLR 5513(a)), you are advised to serve a copy of this order, with Notice of entry upon all parties.

SUPREME COURT-STATE OF NEW YORK  
IAS PART: ROCKLAND COUNTY  
Present: HON. ROBERT M. BERLINER  
Justice of the Supreme Court

5000 INC.,

L5

Lost + Appealing

Plaintiff(s),

ORDER

Index No.: 871/09

-against-

HUDSON ONE, INC. and FLORENCE ONE, INC.,

Defendant(s).

The following papers, numbered 1-8, were read on this motion by the defendants for an Order granting leave to renew its motion for an order awarding it summary judgment dismissing plaintiff's first, second, third and fourth causes of action, and for summary judgment dismissing the Amended Complaint based upon documentary evidence or failure to state a cause of action, granting it summary judgment on it's counterclaim, and for sanctions; and a cross motion by the plaintiff seeking sanctions:

- Notice of Motion/Affirmation/Affidavit/Memo of Law-(Exhibits A-Z)-1-4
- Notice of Cross Motion/Affirmation/Memo of Law-(Exhibits A-K)-5-7
- Reply Affirmation(Plaintiff)-8

Upon the foregoing papers, it is ORDERED that this motion is disposed of as follows:

The central issue in this case is which of the parties owns a portion of a certain "paper" street which abuts their respective properties. The plaintiff alleges that since it owns the entire street, certain construction done by the defendants is, in fact, on its' property. The defendant claim ownership of that portion of the street upon which it has constructed, and thus alleges the are building on their own property.

This court has already ruled on prior motions concerning this case. The within motion arises out of a prior decision by this court denying previous summary judgment motions. The gravamen of the defendants' renewal motion is that the court should grant renewal of their prior motion based upon newly discovered evidence, which evidence was all uncovered during discovery, and was therefore not available to the defendants upon the original motion.

While there are numerous arguments and points of law raised herein, the court will



# Attachment # 10

FLA  
#

IN THE CIRCUIT COURT OF THE 15TH  
JUDICIAL CIRCUIT, IN AND FOR PALM  
BEACH COUNTY, FLORIDA

PROBATE DIVISION

IN RE: ESTATE OF  
STANLEY ACKER,

CASE NO.: 2008CP001929 IX

Deceased.

MARK ACKER,

Petitioner,

v.

KAREN ACKER, individually and as Co-Personal  
Representative of the Estate of Stanley Acker, and  
DAVID ACKER, individually and as Co-Personal  
Representative of the Estate of Stanley Acker,

Respondent(s).

**COPY**  
SOUTH COUNTY BRANCH OFFICE  
ORIGINAL RECEIVED

FEB 21 2014

SHARON R. BOCK  
CLERK & COMPTROLLER  
PALM BEACH COUNTY

## NOTICE OF APPEAL

Notice is given that Respondents, KAREN ACKER and DAVID ACKER, individually and as Co-Personal Representatives of the Estate of Stanley Acker, appeal to the Fourth District Court of Appeal, (a) the January 22, 2014 ORDER DENYING RESPONDENTS MOTION FOR REHEARING OR TO ALTER JUDGMENT and (b) the November 25, 2013 ORDER ON THE PARTIES' RESPECTIVE MOTIONS FOR APPROVAL OF ATTORNEYS' FEES AND COSTS. Conformed copies of the said orders are attached, as Exhibits "A" and "B", in accordance with Florida Rules of Appellate Procedure 9.110(d). The nature of the Orders are (a) a final order denying Respondents' request for rehearing or to alter judgment and (b) a final order granting Petitioner's professional fees and denying Respondents' professional fees.

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via

GUTTER CHAVES JOSEPH RUBIN FORMAN FLEISHER MILLER P.A.



# Attachment # 11

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

IN RE: ESTATE OF STANLEY ACKER

CASE NO.: 502008CP001929XXXXSB

Deceased.

MARK ACKER'S MOTION FOR PAYMENT OF MARK ACKER'S PROFESSIONAL FEES

Mark Acker, by and through his undersigned counsel, and pursuant to Rule 1.525 of the Florida rules of Civil Procedure, hereby petitions this Court for an award of attorneys' fees from the estate pursuant to Sections 733.6171, 733.6175, 733.106, 736.1004, 736.1005 and 736.1006 of the Florida Statutes, pursuant to prior Orders of this Court, and the Settlement Agreement entered as an Order by this Court, and in support thereof, states as follows:

1. Mark Acker is a co-personal representative in the above captioned estate, and co-trustee of the related trusts at issue in this estate.
2. A Settlement Agreement was reached among the co-fiduciaries of the estate and trusts. Said Agreement authorizes the payment of the fees requested herein.
3. This Court has expressly authorized payment of attorneys' fees:

"Paragraph 7 [of the November 16, 2010 Settlement Agreement] says that to the extent that Karen, David and Mark, all of them in equal footing, have attorneys' fees and costs associated with the defense of the Arlene litigation, the trust can be used..." (Pg. 24 of Hearing Transcript, Lines 1-5).

4. This Court specifically addressed the provisions concerning payment of professional fees under the Agreement and directed that Mark Acker's fees be paid "on equal footing" with the payment of fees of Karen and David Acker out of the Trust.

COPY  
RECEIVED FOR FILING

DEC 08 2011

SHARON R. BOCK  
CLERK & COMPTROLLER  
CIRCUIT CIVIL DIVISION

**\* AS OF 2/23/13 - Still pending**

THE LAW OFFICES OF  
ADRIAN PHILIP THOMAS P.A.



# Attachment # 12

IN THE CIRCUIT COURT OF THE 15<sup>TH</sup> JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

IN RE: ESTATE OF STANLEY ACKER,  
Deceased.

\_\_\_\_\_/   
MARK ACKER,  
Petitioner,

v.

CASE NO.: 502008CP001929XXXXSB

KAREN ACKER, et al.,  
Respondents.  
\_\_\_\_\_ /

**ORDER ON MOTION TO WITHDRAW PURSUANT TO  
FLA.R.JUD.ADMIN. 2.505(f)(1)**

**THIS CAUSE** having come on to be heard on February 4, 2014, regarding Adrian Philip Thomas, PA's Motion to Withdraw Pursuant to Fla.R.Jud.Admin. 2.505(f)(1), and the Court having reviewed the pleadings, the Court's file, heard argument of counsel, and being otherwise advised in the premises, it is hereupon

**ORDERED AND ADJUDGED** that said Motion be and the same is hereby  
GRANTED/~~DENIED~~.

*30 days to hire new Counsel*

**DONE AND ORDERED** at Delray Beach, Palm Beach County, Florida, on this  
\_\_\_\_\_ day of \_\_\_\_\_, 2014.

**SIGNED & DATED**

FEB 04 2014

\_\_\_\_\_  
HONORABLE DAVID E. FRENCH  
CIRCUIT COURT JUDGE  
DAVID E. FRENCH

Conformed copies:  
Daniel A. McGowan, Esquire  
Matthew Triggs, Esquire/Jonathan Galler, Esquire  
Kirk Friedland, Esquire  
Jamie B.W. Stecher, Esquire  
Mark Acker, 47 Tranquility, Suffern, NY 10901

*845-548-6352  
ackerstarr@gmail.com*