

ORDERS  
AND DOCKET  
PROBATE COURT

① PROBATE  
DOCKET  
(CERTIFIED  
THRU 1.6.15)

GUARDIANSHIP  
**CASE SUMMARY**  
CASE NO. 2012-004330-GD-02

Stone, Helen R

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§  
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§  
§

Location: **Guardianship**  
Judicial Officer: **(Section, PMH 01)**  
Filed on: **11/28/2012**  
State Case Number: **132012GA004330000002**

CASE INFORMATION

**Statistical Closures**  
02/07/2013 Disposed By Non Jury Trial

Case Type: **LIMITED GUARDIANSHIP**

Case Status: **11/28/2012 Open**

DATE

CASE ASSIGNMENT

**Current Case Assignment**

Case Number	2012-004330-GD-02
Court	Guardianship
Date Assigned	11/28/2012
Judicial Officer	(Section, PMH 01)

PARTY INFORMATION

Ward Stone, Helen R

*Lead Attorneys*

Petitioner Romano, Anthony Jr

Interested Party Stone, Barbara

Jeffrey David Weinkle  
*Retained*  
305-373-4445(W)


Resident Agent Trusty, Candice

DATE


EVENTS & ORDERS OF THE COURT

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11/28/2012 Guardianship Case Created

11/28/2012  Petition for Guardian of Person & Prop  
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Party: Guardian of Person and Property Romano, Anthony Jr.  
NB 0.00 B28382 P4887

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11/29/2012  Order Designating Depository

11/29/2012 Petition for Order Designating Depository

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12/04/2012  Order:  
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12/04/2012 Petition:  
*FOR AUTHORITY TO RETAIN CHERRY, BEKAERT, & HOLLAND, LLP*

12/04/2012 Petition:  
*TO APPROVE MONTHLY BUDGET*

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*FORMAL NOTICE*

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*GRANT PETITION TO APPROVE MONTHLY BUDGET*

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*FOR ORDER AUT PAYMT OF COMPENSATION & EXPNSES OF GD*

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12/04/2012 Order:  
*GRANTING PETT TO LIQUIDATE ACCOUNTS & XFER FUNDS*

12/07/2012 Notice of Appearance  
Party: Interested Party Stone, Alan  
*ATTORNEY:00845094*

12/07/2012 Email Notice:  
*DEBORAKWAKS@AOL.COM*

12/07/2012 Motion:  
*FOR RE-HEARING*

12/10/2012 Notice of Filing:  
*ORIGINAL SIGN PETT FOR AUTHORITY TO RETAIN CHERRY*

12/18/2012 Objection:  
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12/18/2012 Objection:  
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12/19/2012 Response:  
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12/19/2012 Response:  
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12/19/2012 Objection:  
*TO PETT TO REAPPOINT EMERGENCY TEMPORARY GUARDIAN*

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12/19/2012 Text  
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12/20/2012 Petition for Order Designating Depository

12/21/2012  Order Designating Depository

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12/27/2012 Text  
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*EMERGENCY PETT FOR AUTHORITY TO RESTRICT VISITATION*

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12/27/2012 Text  
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12/27/2012 Notice of Filing:  
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12/27/2012 Petition for Order Designating Depository

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*ORDER ON NOVEMBER 20, 2012 HEARING*

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01/08/2013 Text  
*FORMAL NOTICE*

01/08/2013 Petition:  
*FOR ORDD AUT PAYMT OF COMPENSATION & EXPNSES OF GD*

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01/23/2013	Order: <i>GRANTING MOTION TO WITHDRAW - R.BRYANT,ESQ.</i>
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01/25/2013	Notice: <i>OF ATTY'S CHARGING LIEN/REQU FOR NOTICE</i>
01/25/2013	Request: <i>TO HEAR PETITIONS &amp; OBJECTIONS</i>
01/29/2013	Notice of Confidential Info Within Court Filing Accepted
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02/05/2013	Notice of Hearing- <i>JUDGE 02/05/2013 11:00 AM</i>
02/05/2013	Notice: <i>OF WITHDRAWAL OF EMERG.PET AUTH RESTRICT VISITATION</i>
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02/13/2013	Notice of Unavailability/absence <i>2/22/13 - (FRIDAY)</i>	
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*INVF DATE DUE :06/06/2013*

03/06/2013 Notice of Hearing-  
*JUDGE 03/08/2013 09:30 AM RE*

03/07/2013 Notice:  
*OF CANCELLATION OF HEARING*

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Events: 02/07/2013 Notice of Hearing-

03/08/2013 **Judge (9:30 AM)**  
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03/08/2013 Order:  
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03/08/2013 Court Reporter's Statement

03/08/2013 Notice of Hearing-  
*JUDGE 03/08/2013 10:00 AM*

03/19/2013  Notice of Appearance  
Party: Interested Party Stone, Barbara  
*ATTORNEY:00378062*

03/19/2013  Notice of Compliance

03/20/2013 Notice of Hearing-  
*JUDGE 04/15/2013 10:15 AM AMENDED*

03/20/2013 Notice of Hearing-  
*JUDGE 04/15/2013 09:30 AM 15 MINS.*

03/21/2013 Court Reporter's Statement

03/21/2013 Motion to Compel

03/29/2013  Motion to Withdraw

04/01/2013  Notice of Hearing-  
*PROBATE 04/26/2013 09:30 AM*

04/01/2013 Notice of Hearing-  
*PROBATE 04/26/2013 09:30 AM*

04/02/2013  Petition to Withdraw From Restricted Account

04/03/2013  Petition to Open Safe Deposit Box


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CASE No. 2012-004330-GD-02

B: 28562 P: 4856

04/03/2013  Petition to Withdraw From Restricted Account

04/10/2013  Motion:  
*FOR ENFORCEMENT OF SETTLEMENT*

04/11/2013  Notice of Hearing-  
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04/11/2013  Notice of Hearing-  
*PROBATE 04/15/2013 10:15 AM*

04/15/2013 **Judge (9:30 AM)**  
Events: 03/20/2013 Notice of Hearing-

04/15/2013 **Judge (10:15 AM)**  
Events: 03/20/2013 Notice of Hearing-


04/15/2013 **Probate (10:15 AM)**  
Events: 04/11/2013 Notice of Hearing-

04/15/2013 **Probate (10:15 AM)**  
Events: 04/11/2013 Notice of Hearing-

04/15/2013 Court Reporter's Statement

04/15/2013 Order:  
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04/15/2013 Order:  
*TO WITHDRAW FUNDS FROM BLOCKED ACC.*


04/17/2013  Notice of Filing:  
*TRANSCRIPT OF HEARING 4/15/13*

04/17/2013 Transcript of Proceedings Taken  
*04/15/2013*

04/19/2013  Motion to Compel

04/22/2013 Notice of Hearing-  
*JUDGE 05/06/2013 11:00 AM*

04/25/2013  Notice:  
*OF CANCELLATION OF HEARING*


04/25/2013  Notice of Hearing-  
*PROBATE 05/06/2013 11:00 AM*


04/26/2013 **Probate (9:30 AM)**  
Events: 04/01/2013 Notice of Hearing-


04/26/2013 **Probate (9:30 AM)**  
Events: 04/01/2013 Notice of Hearing-

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GUARDIANSHIP  
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04/26/2013  Petition for Attorney's Fees


05/01/2013  Motion:  
*FOR ENFORCE OF SETTLE AGREEMENT (2ND)*

05/03/2013  Notice of Hearing-  
*PROBATE 05/06/2013 11:00 AM*

05/06/2013 **Judge (11:00 AM)**  
Events: 04/22/2013 Notice of Hearing-


05/06/2013 **Probate (11:00 AM)**  
Events: 04/25/2013 Notice of Hearing-


05/06/2013 **Probate (11:00 AM)**  
Events: 05/03/2013 Notice of Hearing-


05/06/2013  Petition to Withdraw From Restricted Account


05/07/2013 Court Reporter's Statement

05/07/2013 Order:  
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05/13/2013  Order:  
*MOTION/COMPEL ENFORCEMENT O/TH/GLOBAL SETTLEMENT AGREEMENT*


05/13/2013  Init Guardian Rpt W/ Plan only


05/13/2013  Copy of:  
*SAFE DEPOSIT BOX INVENTORY*


05/23/2013  Notice of Unavailability/absence


06/03/2013 Notice of Hearing-  
*PROBATE 06/24/2013 11:00 AM*


06/03/2013  Notice of Hearing-  
*PROBATE 06/24/2013 11:00 AM*

06/05/2013  Waiver:  
*AND CONSENT*

06/05/2013  Petition for Fees

06/05/2013  Objection:  
*(NON) TO PETT AUTH PYMT OF ATTYS FEES*

06/05/2013  Letter of Correspondence

06/05/2013  Waiver:  
*AND CONSENT*

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06/12/2013 Init Gd Rpt W/ Inventory only  
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06/12/2013 Text  
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06/13/2013  Order to Withdraw From Restricted Account

06/13/2013  Order Awarding Attorney Fees  
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06/18/2013  Notice of Unavailability/absence

06/18/2013  Notice of Hearing-  
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06/18/2013  Petition for Attorney's Fees

06/21/2013  Motion for Continuance

06/21/2013  Stipulation  
JOINT-FOR SUBST.OF COUNSEL

06/21/2013  Proof:  
WITHDRW FR/RESTCT DEPOST

06/24/2013 **Probate (11:00 AM)**  
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06/24/2013 **Probate (11:00 AM)**  
Events: 06/03/2013 Notice of Hearing-

06/24/2013 **Probate (11:00 AM)**  
Events: 06/18/2013 Notice of Hearing-

06/28/2013  Notice of Unavailability/absence

07/01/2013  Motion to Withdraw  
AS COUNSEL FOR ALAN STONE

07/18/2013 Order:  
WITHDRW AS COUNSEL F/ALAN STONE

07/25/2013  Notice of Unavailability/absence

07/25/2013  Notice of Compliance

07/25/2013  Petition  
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07/30/2013 Order:  
RATIFYING JOINT STIP AS T/TH/SUBSTITUT. O/COUNSEL, ETC

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GUARDIANSHIP  
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08/08/2013	 Stipulation <i>F/SUBSTITUTION O/COUNSEL</i>
08/13/2013	Stipulation and Order Substituting Counsel Party: Interested Party Stone, Barbara <i>ATTORNEY:00501069</i>
08/26/2013	Letter of Correspondence <i>BARBARA STONE</i>
09/09/2013	 Text <i>AMENDED VERIFIED INVENTORY OF GUARDIAN</i>
09/16/2013	 Motion: <i>T/VACATE ORD ON EMERG PET T/RM'VE B. STONE FROM WARD</i>
09/19/2013	 Notice of Hearing- <i>PROBATE 10/24/2013 02:30 PM</i>
09/19/2013	Notice of Hearing- <i>PROBATE 10/24/2013 02:30 PM</i>
09/25/2013	 Motion: <i>F/COURT AUTHRZT T/SUBP FINANCIAL RECORDS</i>
10/15/2013	Letter of Correspondence <i>BY FARBER, RABBI</i>
10/22/2013	 Motion: <i>T/VACATE ORD EMRGC PET T/REMOVE B STONE, ETC</i>
10/23/2013	 Response: <i>T/MOTION T/VACATE ORD</i>
10/24/2013	Court Reporter's Statement
10/25/2013	 Notice of Hearing- <i>PROBATE 11/14/2013 02:00 PM</i>
10/29/2013	 Order: <i>T/AUTHRZ SALE O/VEHICLE</i>
11/06/2013	 Motion to Withdraw
11/07/2013	 Petition for Attorney's Fees
11/08/2013	 Notice of Appearance Party: Guardian of Person and Property Lapidés, Blaire <i>ATTORNEY:00280070</i>
11/11/2013	 Notice of Hearing- <i>PROBATE 11/12/2013 09:30 AM</i>

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11/11/2013  Notice:  
*OF CANCELLATION OF HEARING*

11/13/2013  Order:  
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11/13/2013  Request for Hearing

11/14/2013  Motion:  
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11/15/2013 Court Reporter's Statement

11/15/2013  Order:  
*AUTHZ HOSPT VISITATION BETWEEN TH/WARD AND TH/PETNR*

11/15/2013 Text  
*REVIEW AND AUDIT MEMO W/10 DAY LETTER DUE 11/29/13 MU*

11/15/2013  Text  
*REVIEW AND AUDIT MEMO*

11/19/2013 Order Approving Initial Report

11/20/2013 Text  
*RETURN O/SERVC*

11/21/2013 Subpoena Returned

11/21/2013 Text  
*RETURN O/SERVC*

11/21/2013  Petition  
*FOR COURT DIRECTION RE: ORD ALLOW HOSPITAL VISITATION*

11/22/2013 Stipulation  
*FOR SUBST.OF COUNSEL*

11/22/2013 Stipulation and Order Substituting Counsel  
Party: Guardian of Person and Property Hertz, Jacqueline  
*ATTORNEY:00178125*

11/22/2013 Subpoena Returned

12/05/2013  Notice of Appearance  
Party: Interested Party Stone, Barbara  
*ATTORNEY:00010370*

12/05/2013  Pet for Appointment of Guardian of Pers  
*B: 28939 P: 3371*

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GUARDIANSHIP  
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12/10/2013	 Petition <i>FOR AUTHRZTN ACT PURSUANT TO 744.441(1)744.447 FL STATUTE</i>
12/11/2013	 Motion to Withdraw <i>AS COUNSEL OF RECORD - RONALD S.LOWY</i>
12/11/2013	 Stipulation <i>FOR SUBSTITUTION OF COUNSEL</i>
12/12/2013	 Notice of Hearing- <i>PROBATE 01/13/2014 01:30 PM</i>
12/12/2013	 Order to Show Cause <i>01/13/2014 09:30 AM</i>
12/17/2013	 Order: <i>AUTHRZ CO-GUARD T/ACT PURSUANT, ETC</i>
12/17/2013	 Notice of Unavailability/absence
12/17/2013	Stipulation and Order Substituting Counsel Party: Guardian of Person and Property Romano, Anthony Jr. <i>ATTORNEY:00010370</i>
12/18/2013	 Petition <i>F/ORD AUTH LIQUIDATION AND TRANSFER O/FUNDS</i>
12/18/2013	 Motion for Rehearing
12/19/2013	 Notice of Hearing- <i>PROBATE 12/24/2013 09:00 AM</i>
12/19/2013	 Order: <i>AUTHRZ LIQUIDT AND TRANSFER O/ASSET FR/WARD'S IRA ACC,ET</i>
12/19/2013	 Motion for Contempt <i>SANCTIONS FOR VIOLATION COURT ORDER 11-15-13</i>
12/19/2013	 Notice of Hearing- <i>PROBATE 12/24/2013 09:00 AM</i>
12/19/2013	 Notice of Hearing- <i>PROBATE 12/24/2013 09:00 AM</i>
12/19/2013	 Motion to Withdraw
12/20/2013	 Motion for Contempt
12/20/2013	Motion to Withdraw
12/20/2013	 Order:

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GUARDIANSHIP  
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*MOTION WITHDRAW AS COUNSEL F/PROBT STONE*

12/20/2013  Order:  
*EMERGC F/CONTEMPT AND TEMPORARY INJUNCTION, ETC*

12/24/2013  Notice:  
*OF PERSONAL SVCS OF EMERG.ORD FOR CONTEMPT*

12/27/2013  Motion for Extension of Time

12/29/2013  Notice of Appearance  
Party: Interested Party Stone, Barbara  
*ATTORNEY:00133162*

12/30/2013  Petition  
*VERIFIED SUPPLEMENTAL EMERG, ETC*

01/07/2014  Petition:  
*AND ANSWERS AND AFFIRMATIVE DEFENSES*

01/07/2014  Petition:  
*AND ANSWERS AND AFFIRMATIVE DEFENSES*

01/07/2014  Affidavit of:  
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01/07/2014  Motion:  
*F-COURT AUTHRZT F-L J PLANKO MD T-TESTIFY TELEFNC*

01/07/2014  Motion:  
*SET ASIDE ORD T-SHOW CAUSE*

01/08/2014 Court Reporter's Statement

01/10/2014 Letter of Correspondence  
*BY BARBARA STONE*

01/13/2014 Court Reporter's Statement

01/13/2014  Order:  
*SHOW CAUSE, 12/12/13, ETC*

01/16/2014  Motion to Withdraw


01/16/2014  Notice:  
*OF MOTION CALENDAR HEARING*


01/16/2014  Notice of Hearing-  
*PROBATE 02/11/2014 02:00 PM*

01/21/2014  Notice of Hearing-  
*PROBATE 02/11/2014 01:30 PM*


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HARVEY RUVIN, CLERK


GUARDIANSHIP  
**CASE SUMMARY**  
CASE NO. 2012-004330-GD-02


01/23/2014  Order:  
*MOTION , ETC*


01/23/2014  Order:  
*MOTION , ETC*

02/04/2014 Fax Confirmation


02/10/2014  Amended Petition

02/11/2014  Order to Show Cause  
*03/19/2014 11:00 AM*


02/11/2014  Motion to Show Cause Treatment


02/12/2014  Notice of Hearing-  
*PROBATE 02/14/2014 01:30 PM*


02/13/2014 Court Reporter's Statement


02/13/2014  Notice of Appearance  
Party: Interested Party Stone, Barbara  
*ATTORNEY:00861560*

02/14/2014 Court Reporter's Statement


02/14/2014  Copy of:  
*WITHDRAWAL OF PET FOR REMOVAL OF CO-GDN*

02/18/2014  Motion for Extension of Time


02/20/2014  Order Extending Time for  
*ARWR DATE DUE :03/31/2014*

02/20/2014  Order:  
*MOTION T/CONVERT FILED NOTIC O/WITHDRW O/PET , ETC*

02/21/2014 Motion:  
*GUARDN O/TH/PROPT MOTION F/ENLARGMT O/TIME , ETC*

02/21/2014  Notice:  
*OF TERMINATION OF COUNSEL BY INTERESTED PARTY*

02/21/2014 Petition:  
*VERIFIED F/DISQUALIFICATION O/JUDGE GENDEN*

02/24/2014  Order:  
*DENYING MOTION T/DISQUALIFY*

02/25/2014 Affirmation

02/27/2014 Affirmation

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GUARDIANSHIP  
**CASE SUMMARY**  
CASE NO. 2012-004330-GD-02

02/28/2014 Petition:  
*FOR IMMEDIATE ENTRY OF ORD OF DISQUALIFICATION*

03/03/2014  Petition for Attorney's Fees

03/03/2014  Consent:  
*TOORD AUTH PAY ATTY FEES*

03/03/2014  Notice of Hrg Special Appt  
*03/28/2014 11:15 AM*

03/06/2014 Petition:  
*AMENDED VERIFIED EMERGC F/INMEDIATE DISQUALIFICATION, ET*

03/10/2014 Petition:  
*AMENDED VERIFIED EMGC F/INMEDIATE DISQULFT, ETC*

03/10/2014  Order:  
*DENYING AMENDED VERIFIED EMERGC PET F/IMMEDT, ETC*

03/11/2014 Affirmation

03/11/2014  Order:  
*DENYING AMENDED VERIFIED EMERGC PET F/IMMEDIATE DISQULF*

03/12/2014 Fax Confirmation

03/13/2014  Motion to Withdraw

03/14/2014  Memorandum  
*REVIEW AND AUDIT MEMO WITH 10-DAY LETTER, 11/27/13-12/31/13, MU*

03/17/2014  Order:  
*AUTHRZ WITHDRW AS COUNSEL , ETC*

03/18/2014  Notice of Appearance  
Party: Interested Party Stone, Barbara  
*ATTORNEY:00271934*

03/18/2014  Motion for Continuance

03/18/2014  Motion:  
*FOR STATEMENT OF PARTICULARS*

03/18/2014  Request:  
*FOR SPECIFIC BRADY INFORMATION*

03/18/2014  Motion:  
*FOR LEAVE TO FILE AMENDED MOT TO DISQ TRIAL JUDGE*

03/18/2014  Motion to Dismiss

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GUARDIANSHIP  
**CASE SUMMARY**  
CASE No. 2012-004330-GD-02

03/18/2014  Motion:  
*AMENDED TO DISQUALIFY TRIAL JUDGE*

03/18/2014  Motion:  
*IN LIMINE REG DEF STATEMENTS ON FEB 11 2014*

03/19/2014 Response:  
*OBJT T/R LUSTIG'S PET FEES*

03/19/2014  Order:  
*RE-SETT DATE O/ORD T/SHOW CAUSE HEARING*

03/20/2014  Notice:  
*RELIANCE ON EXPERT WITNESS TESTIMONY*

03/20/2014  Notice of Filing:  
*RETAINER AGREEMENT*

03/20/2014  Waiver:  
*AND CONSENT TO PET AUTH PAY ATTY FEES*

03/20/2014  Petition for Attorney's Fees

03/20/2014  Motion:  
*TO STRIKE BARBARA STONES SWORN MOT TO DISMISS*

03/20/2014  Response:  
*EFILED*

03/24/2014  Order:  
*DENYING MOTION F/LEAVE T/FILE AMENDED MOTION , ETC*

03/26/2014  Copy of:  
*SUBPOENA FOR HEARING*

03/26/2014  Copy of:  
*SUBPOENA FOR HEARING*

03/27/2014  Notice of Hearing-  
*PROBATE 04/30/2014 11:30 AM*

03/27/2014  Notice of Hrg Special Appt  
*03/31/2014 11:15 AM*

03/28/2014  Order Awarding Attorney Fees  
*B: 29089 P: 0017*


03/28/2014  Notice of Hearing-  
*PROBATE 04/23/2014 11:15 AM*


03/31/2014  Motion for Extension of Time


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HARVEY RUVIN, CLERK


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GUARDIANSHIP  
CASE SUMMARY  
CASE No. 2012-004330-GD-02


04/02/2014  Order:  
*GRANTING ORE TENUS MOTION AUTHRZ PAYMT F/EXPERT WITNESS*


04/02/2014  Order:  
*CANCELLING ORD SHOW CAUSE HEARING, ETC*


04/02/2014  Order Extending Time for  
*ARWR DATE DUE :05/30/2014*


04/07/2014  Recorded Document  
*B: 29102 P: 0205 ORDER DISCHARGING ORDER TO SHOW CASE*


04/23/2014  Order Awarding Attorney Fees  
*B: 29122 P: 1196*


04/29/2014  Notice:  
*of cancellation of hearing*


04/29/2014  Response:  
*T/F GLICKMAN'S PET F/FEEES & CH LIEN, MOTION T/STRIKE NOTIC HEARING, ETC*


05/01/2014  Annual Accounting more than \$500,000  
*11/27/12-12/31/12 P: Guardianship & Trust Accounting*


05/01/2014  Notice of Confidential Info Within Court Filing Accepted


05/02/2014  Notice of Appearance  
*of Barbara Stone*


05/05/2014  Motion:  
*CFOR PRELIMINARY INJUNCTION REGARDING DEFAMATORY STATEMENTS ECT*


05/07/2014  Order:  
*DENYING MOTION F/PRELIMINARY INJUCTION REGARDING DEFAMATORY STAMT*


05/16/2014  Annual Guardianship Plan  
*05/16/14-05/16/14*

05/16/2014  Copy of:  
*physician's report*

05/16/2014  Notice of Confidential Info Within Court Filing Accepted

05/16/2014  Notice of Confidential Info Within Court Filing Accepted

05/19/2014  Annual Accounting more than \$500,000  
*01/01/13-12/31/13 P: Guardianship & Trust Accounting*

05/19/2014  Notice of Confidential Info Within Court Filing Accepted

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Page 0205, 1 pages*

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Page 1196, 1 pages*

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HARVEY RUVIN, CLERK**

GUARDIANSHIP  
**CASE SUMMARY**  
CASE No. 2012-004330-GD-02

- 05/19/2014  Motion:  
*T/FILE VERIFIED EMERGC PET F/INMEDIATE DISQUALIFICATION O/JUDGE  
GENDEN*
- 06/13/2014  Petition  
*FOR AUTH TO RETAIN JAGUSZTYN & JAGUSZTYN PA NUNC PRO TUNC TO 3/9/14*
- 06/16/2014  Order Approving Annual Report  
*11/27/12 - 12/31/13*
- 06/18/2014 Memorandum  
*FOR CURRENT BUDGET, See Order dated 06/13/13*
- 06/19/2014  Petition  
*FOR AUTH TO RETAIN DON L. EISENBERG, C.P.A. NUNC PRO TUNC TO MARCH 26,  
2013*
- 06/19/2014  Objection:  
*T/BLAIRE LAPIDIES REQUEST F/ACCT FEES & NOTIFICATIONS*
- 06/20/2014  Order:  
*ALL STAY AWAY ORDS & RESTRCTNS & ANY & ALL ORDS ISSUED , ETC*
- 06/23/2014  Order:  
*Striking document filed 6/20/14 "All Stay Awar Orders..."*
- 06/24/2014  Motion to Strike  
*EMERGENCY*
- 06/24/2014  Notice of Hearing-  
*ON JULY 11, 2014 AT 11:45 A.M.*
- 07/03/2014  Petition for Attorney's Fees
- 07/03/2014  Consent:  
*TO AN ORDER AUTHORIZING PAYMENT OF ATTORNEY'S FEE AND EXPENSES*
- 07/03/2014  Notice of Hearing-  
*ON AUGUST 1, 2014 AT 11:15 AM*
- 07/11/2014 **Probate (11:45 AM)** (Judicial Officer: Genden, Michael A)  
Events: 06/13/2014 Petition  
06/19/2014 Petition  
06/24/2014 Notice of Hearing-
- 07/15/2014  Order:  
*PET F/AUTHORT T/RETAIN , ETC*
- 07/15/2014  Order:  
*PET F/AUTHORT T/RETAIN, ETC*
- 07/18/2014  Notice of Hearing-

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GUARDIANSHIP  
**CASE SUMMARY**  
CASE NO. 2012-004330-GD-02

*ON AUGUST 4, 2014 AT 11:45 A.M.*

07/18/2014	 Notice: <i>OF RELIANCE ON EXPERT WITNESS TESTIMONY</i>
08/04/2014	<b>Probate (11:45 AM)</b> (Judicial Officer: Genden, Michael A) Events: 07/03/2014 Petition for Attorney's Fees
08/04/2014	 Order Awarding Attorney Fees Probate
08/04/2014	 Order: <i>Granting ORE Tenus Motion auth payment for expert witness</i>
08/15/2014	 Petition <i>FOR AN ORDER DIRECTING THE SHERIFF OF MIAMI-DADE TO ENTER THIS COURT'S EMERGENCY ORDER FOR CONTEMPT</i>
08/15/2014	 Notice of Hrg Special Appt <i>09/10/14 @ 11:45 AM</i>
09/10/2014	 Notice of Hearing- <i>ON SEPTEMBER 12, 2014 AT 10.15 AM</i>
09/10/2014	<b>Probate (11:45 AM)</b> (Judicial Officer: Genden, Michael A) <i>p for order diverting Sheriff of MDC to enter court order dated 12/20/13</i>
09/11/2014	 Notice of Appearance
09/11/2014	 Response: <i>IN OPPOSITION TO CO-GUARDIAN'S PETT FOR AN ORDER DIRECTING THE SHERIFF OF MIAMI-DADE COUNTY, ETC...</i>
09/12/2014	<b>Probate (10:15 AM)</b> (Judicial Officer: Genden, Michael A) <i>guardians petition for an order directing sheriff, fl metropolice dept to enter into Data Banks this Curt's emergency Order for Contempt and Temporary Injunction against violence</i>
09/12/2014	 Order: <i>PET F/AN ORD DIRECTG , ETC</i>
09/12/2014	 Court Reporter's Statement
09/17/2014	 Petition for Attorney's Fees
09/17/2014	 Notice of Hearing- <i>FROM 10-21-2014 AT 2:00 PM</i>
10/06/2014	 Petition <i>FOR ORDER AUTH TRANSFER OF ASSETS FROM WARD'S IRA ACCT TO MONEY MARKET</i>
10/07/2014	 Notice of Unavailability/absence

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Instrument#  
20140544675


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GUARDIANSHIP  
**CASE SUMMARY**  
**CASE NO. 2012-004330-GD-02**


FROM 10-29-2014 THRU 11-03-2014; 11-09-2014 THRU 11-16-2014; AND 12-11-2014  
THRU 12-15-2014

10/07/2014 Probate (9:00 AM) (Judicial Officer: Genden, Michael A)

10/07/2014  Order:  
*AUTHORZ TRANSFER O/ASSET FR/WARDS IRA ACCT T/WARDS MONEY MARKET  
ACCT*


10/09/2014  Notice:  
*O/EXPERT WITNESS DISCLOSURE*


10/17/2014  Consent:  
*BLAIRE LAPIDES*

10/20/2014  Notice of Hearing-  
*ON OCTOBER 24, 2014 AT 11:00 AM*

10/21/2014 Probate (2:00 PM) (Judicial Officer: Genden, Michael A)  
Events: 09/17/2014 Petition for Attorney's Fees


10/24/2014 Probate (11:00 AM) (Judicial Officer: Genden, Michael A)  
Events: 09/17/2014 Petition for Attorney's Fees  
*Pollack's att fees*

10/24/2014  Order Awarding Attorney Fees Probate

10/24/2014  Order:  
*DENYING PET F/JURY TRIAL*

11/06/2014  Petition  
*EMERGENCY PETITION*


11/07/2014  Order:  
*PET MEDIATION, ETC*

11/28/2014  Notice of Hrg Special Appt  
*12/11/14 @ 3:30 PM*

11/28/2014  Petition for Attorney's Fees

11/28/2014  Notice:  
*OF RELIANCE OF EXPERT WITNESS TESTIMONY*

12/01/2014  Consent:  
*BY B LAPIDES*

12/08/2014  Notice of Filing:  
*AFFIDVT O/CO-GUARDN, ETC*

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HARVEY RUVIN, CLERK

12/09/2014  Petition

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Instrument#  
20140739222

GUARDIANSHIP  
**CASE SUMMARY**  
**CASE No. 2012-004330-GD-02**

*AUTHORZ PAYMT O/COMPEST & EXPS O/CO-GUARD, ET*

- 12/09/2014  Petition  
*AUTHORZ PAYMT O/COMPEST & EXPS O/CO-GUARDN*
- 12/09/2014  Notice of Hearing-
- 12/11/2014 **Probate (3:30 PM)** (Judicial Officer: Genden, Michael A)  
Events: 11/28/2014 Petition for Attorney's Fees
- 12/11/2014  Fax Confirmation
- 12/11/2014  Order:  
*ORE TENUS MOTI AUTHORZ PAYMT F/EXPERT WITNESS*
- 12/11/2014  Order Awarding Attorney Fees Probate
- 12/12/2014  Petition  
*FOR ORDER AUTHORIZING TRANSFER OF ASSET ETC...*
- 12/15/2014 **Probate (11:15 AM)** (Judicial Officer: Genden, Michael A)  
*GUARDIAN FEES*
- 12/16/2014  Notice of Hrg Special Appt  
*12/19/14 @ 11:15 AM*
- 12/19/2014 **Probate (11:15 AM)** (Judicial Officer: Genden, Michael A)  
*continuation of hearing*
- 12/19/2014  Court Reporter's Statement
- 12/19/2014  Order:  
*AUTHORZ TRANSFER O/ASSETS FR/WARDS WELLS FARGO ACCT, ETC*
- 12/19/2014  Order:  
*AUTHORZ PAYMT O/COMPEST & EXPS O/CO-GUARDN FR/RESTCTD ACCT*
- 12/19/2014  Order:  
*AUTHORZ PAYMT O/COMPEST & EXPS O/CO-GUARDN O/PERSON & GUARDN O/TH/PROPT, ETC*
- 12/29/2014  Order:  
*CANCELING ANY HEARING ON TERMINATION OF GUARDIANSHIP PENDING RETURN OF JUDGE ASSIGNED.*
- 01/05/2015  Response:  
*T/PET F/TERMNT O/AND ALTERNTV T/GUARDSH*
- 01/06/2015  Petition for Attorney's Fees
- 01/06/2015

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Instrument#  
20140855428*

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GUARDIANSHIP  
**CASE SUMMARY**  
CASE No. 2012-004330-GD-02

Order:

PROHIBITING B SOTNE FR/FILG ANYMORE PLEADINGS, MOTI & OBJET IN THIS COURT

DATE

FINANCIAL INFORMATION

Guardian of Person and Property Lapides, Blaire	
Total Charges	500.00
Total Payments and Credits	500.00
Balance Due as of 1/7/2015	0.00

STATE OF FLORIDA, COUNTY OF MIAMI-DADE  
I HEREBY CERTIFY that the foregoing is a true and correct copy of the original on file in this office.  
AD 20  
HARVEY RUVIN, CLERK of Circuit and County Courts  
Deputy Clerk



CHERYL TOUSSAINT

JAN 07 2015



EXPLANATION

OF

ORDERS

|

## Exhibit B-1 Orders

This is a list and description of:

- Unlawful, arrogant and brazen orders that assault and trample the civil and human rights and liberties of an elderly disabled person issued by Michael Genden
- Orders that flagrantly perpetuate the unlawful isolation, abuse and exploitation of an elderly disabled person in violation of Federal and State Laws, a special victim's crime.
- Orders abetting staged and fraudulent litigation to extort fees.
- Orders predicated on treachery, duplicity and fraud.

Date	Order	Comment
November 28, 2012	Order appointing guardian	Fraudulent order of guardianship issued on defective findings to a fraudulent guardian who was not authorized or vetted. This "guardian" maintained an office in a wildlife and predatory animal reserve occupied by 25 monkeys and iguanas and other dangerous animals where Appellant' mother was endangered
March 8, 2013	Order on Emergency Petition to Remove Barbara Stone from Ward's residence and impose supervised visitation	<p>This unlawful order issued without an evidentiary hearing is the result of fraud and fabricated statements ordering that an 86 year old disabled woman who was being exploited and abused by guardians be "isolated" from her daughter Barbara Stone and "supervised" by the very same guardians who fabricated and committed fraud or their "health care workers" who fabricated the statements. Thus this judge committed fraud and perpetrated fraud, isolating an elderly person from her daughter.</p> <p>This order hands the allegations of abuse right back to the abusers.</p> <p>Appellant was fraudulently accused of "authorizing" unauthorized medication, an impossibility. The medication, miralax was given by the abusers without Appellant's knowledge or authorization. It was later made known to Appellant that it is <b><i>given with frequency by unfit persons who know nothing about the care of an elderly disabled person like Jacqueline Hertz and her ilk is in fact a highly toxic and dangerous medication</i></b></p> <p>In December of 2011, the FDA placed MiraLAX a polyethylene glycol-containing blockbuster drug marketed by Merck &amp; Co on its Adverse Event Reporting System in connection to "neuropsychiatric events." Besides MiraLAX, this warning also applies to Movicol, Dulcolax, Colyte, Colovage, Co-Lav, Clenz-Lyte, ClearLax, GoLYTELY, GaviLyte C, GlycoLax, Go-Evac, GlycoPrep, E-Z-Em Fortrans, Halflytely, Lax-a-Day, LaxLyte, MoviPrep, Macrogol, NuLytely, OCL, Peg-Lyte, Prep Lyte, Softlax, TriLyte, and all other brands with Polyethylene Glycol 3350 (PEG for short) as their active ingredient. It and <u>its toxic byproducts</u> first affect the central nervous system (CNS), then the heart and finally the kidneys. <b><i>Ingestion of sufficient amounts [as little as 30 ml — KM] can be fatal.</i></b></p>

<p>April 10, 2013 and May 13, 2013</p>	<p>Orders compelling enforcement of agreement</p>	<p>These threatening orders unlawfully attempts to force Appellant to sign an illegal agreement that removes all rights of an elderly disabled person in contemptible violation of the Americans with Disabilities Act, the Elder Justice Act, the Olmstead Act and a myriad of other Federal and State Laws that make clear that accommodations shall be provided to disabled persons so they have the same access to services as people without disability and their needs are meet in the least restrictive possible manner.</p> <p>This agreement is the result of intrinsic and extrinsic fraud, fraud on the court and fraud in the inducement. The sole reason for perpetuating this illegal and unconstitutional agreement was to bind Appellant to a pretext of an agreement that was brazenly and intentionally ignored and violated by the predators who sought to benefit therefrom.</p> <p>As stated by this Court in the Roy Lustig appeal wherein he was found guilty of crimes:</p> <p>"In Metropolitan Dade County v. Martinsen, 736 So. 2d 794, 795 (Fla. 3d DCA 1999), this Court restated the well-settled principle "that a party who has been guilty of fraud or misconduct in the prosecution or defense of a civil proceeding should not be permitted to continue to employ the very institution it has subverted to achieve her ends." Hanono v. Murphy, 723 So. 2d 892, 895 (Fla. 3d DCA 1998) "</p> <p>Even prior to the unlawfully agreements forced on Appellant and Appellant's mother, Michael Genden forced these agreements on Appellant and isolated Appellant's mother from her fraudulently placing her in the hands of predators without even a modicum of legality.</p>
<p>November 15, 2013</p>	<p>Order Authorizing Hospital Visitation between the Ward and the Petitioner</p>	<p>This unlawful order was issued after Appellant's mother was admitted to the hospital when she almost died from a myriad of life threatening conditions and was denied food. Rather than investigating why Helen Stone was admitted to the hospital by emergency and almost died, Michael Genden vindictively retaliating against Appellant for reporting and exposing the abuse to the hospital so they could take precaution.</p> <p><b><i>Further, this unlawful "order" by Michael Genden albeit unlawful contains unidentified handwritten insertions imposing the unlawful "supervision" by the very same aides who were responsible for almost causing Appellant's mother's to die as a result of their abuse.</i></b></p> <p>Jacqueline Hertz and Blaire Lapidés force Helen Stone to pay for "aides" that almost caused her death. Helen Stone after being taken by emergency to the hospital to a later rehabilitation facility received no rehabilitation because the aides kept her isolated in the room, the sole purpose of the aides was not to tend the Helen Stone but to isolate her, block her privacy and to report on the activities of Barbara Stone.</p>

December 20, 2013	Emergency Order for Contempt and Temporary Injunction Against Violence from Barbara Stone	<p>This highly unlawful order is the result of collusion between Roy Lustig, a predator attorney and Michael Genden who is abysmally unfit to have any involvement whatsoever in matters relating to an elderly disabled person and who flaunts laws protecting such persons, allowing savage abuse and exploitation and thereafter manipulating his court to harass and threaten a family member who exposes his abuse and acts to protect her loved one who almost died from being exposed to predators.</p> <p>It should be noted that Michael Genden issued this fraudulent disgusting order knowing it was the result of fraud as he so stated in below acknowledging that he did not think that Appellant had or would cause any harm to her mother. The issuance of a fraudulent restraining order is a crime under Florida Statutes.</p> <p>It shocks the conscious that Michael Genden deliberately and in obvious collusion with Roy Lustig, a predator attorney who is diabolically perpetrating fraudulent litigation to extort Appellant's mother's assets, would isolate an elderly woman from her daughter leaving her defenseless and vulnerable to predators who almost caused her death.</p>
Feb 11, 2014	Order to Show Cause	<p>This fraudulent order issued on the basis of conjured and perjured statements by Roy Lustig, an attorney already found guilty of fraud on the court, perjury and repeatedly lying under oath is another example of the manner in which Michael Genden returns allegations of abuse back into the hands of the abusers.</p> <p>It should be noted that Roy Lustig prepared the fraudulent affidavit of the care agent employee who furnished negligent and unidentified "aides" to an elderly disabled adult, brazenly obstructing justice and committing fraud.</p>
March 20, 2014	Order denying Motion for Leave to File Amended Motion to Disqualify Trial Judge	<p>This order is another example of Michael Genden's lawless arrogance and complete disregard for due process and evidence of Appellant's fears and Michael Genden's unlawful court.</p> <p>It is apparent that Michael Genden feels that he is above the law a position asserted by Mark Speiser, another arrogant, unconstitutional judge in the probate court in Broward County who thought that he was "god" and above the law and was not tolerated by the 4<sup>th</sup> DCA who issued an opinion to that effect in Richard W. Vazza and Stephen F. Vazza, Appellants v Estate of Richard R. Vazza, Appellee Case no.: 4D14-320 Aug. 20, 2014</p>
April 1, 2014	Order cancelling Order to Show Cause Hearing	<p>This Order is the fraudulent off shoot of the order to show cause issued on February 11, 2014 issued by Michael Genden to entrap Appellant It is a devious, duplicitous mechanism by Michael Genden to cancel a hearing that was the result of threats and fraud in his unlawful order to show cause.</p> <p>This is an example of the infestation in his court of staged litigation and fraudulent, wrongful orders that abet extorted legal fees that Michael Genden, an unfit judge maliciously orchestrates</p>

<p>September 12, 2014</p>	<p>Order Granting Co-Guardians Petition for an Order Directing Sherriff of Miami Dade to Enter this Court's Emergency Order</p>	<p>This Machiavellian maniacal order by Michel Genden epitomizes the fraud, deception and scam that occurs in his court. He issued an unlawful unconstitutional isolation order at the onset of this disgusting fraudulent abusive guardianship on the basis of fraud and thereafter compounds his misuse of power repeatedly issuing retaliatory unconstitutional fraudulent isolation orders.</p> <p>He then converted his unfit court into a tribunal against Appellant where he entrapped Appellant and unlawfully threatens to charge her with criminal contempt for attempting to contact her mother who he has unlawfully isolated.</p> <p>Michael Genden is a toxic judge. He issued an order removing a mother, an elderly woman pleading to see her daughter on the basis of a perjured, fabricated, lying petition from an adult predator, Roy Lustig who forces Appellant's mother to pay him to abuse and extort her. Michael Genden stated the following in the staged mock hearing on unlawful unconstitutional order:</p> <p style="padding-left: 40px;">THE COURT: I am saying right now for your sake, that I don't care what Mr. Lustig [Counsel for the co-guardians] put on this, I'm clearing it up. <b>I do not believe that I was entering an injunction — and I'll make it clear — against violence. I don't believe that Barbara Stone was violent to her mother.</b> Was injuring her. Was hitting her. Was pulling her hair or any other definition of violence. I want to make it clear. I was enforcing my own order because she was being disruptive to the people who were caring for her mother. I allowed her to do it. She violated it by taking her mother out.</p> <p>This toxic judge punished Appellant's elderly mother for wanting to see her daughter. It is an unspeakable travesty.</p>
<p>November 6, 2014</p>	<p>Order</p>	<p>This unlawful order</p> <ul style="list-style-type: none"> <li>• denies mediation, a resolution that is generally mandated by the court prior to litigation pursuant to Section 44.102 Florida Statutes and Rule of Civil Procedure 1.700 (a)</li> <li>• hands directly back to the very same guardians who have unlawfully isolated Appellant's mother the authority to impose unlawful isolation</li> <li>• evidences Michael Genden's violation of his judicial authority and judicial canons in acting as opposing counsel, not as a judge in arguing and bringing up actions that are outside the scope of the pleading.</li> </ul>
	<p>Various Orders deviously awarding fees for staged litigation and abuse</p>	<p>Unlawful, vicious orders awarding over \$700,000 in extortive fees to the very same predators who were engaged in the abuse, aggravated abuse, exploitation, discrimination and retaliation of Appellant's mother and Appellant.</p>

ORDERS

IN THE CIRCUIT COURT OF THE  
11<sup>th</sup> JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA

IN RE: GUARDIANSHIP OF

PROBATE DIVISION

HLEN R. STONE

CASE NO: 12-4330 GD 01

the Ward.

FILED FOR RECORD  
2013 MAR -8 AM 10:58  
CLERK OF COURT  
MIAMI-DADE COUNTY  
FLORIDA

ORDER ON EMERGENCY PETITION TO REMOVE BARBARA STONE  
FROM WARD'S RESIDENCE AND IMPOSE SUPERVISED VISITATION

THIS MATTER came before this court on March 8, 2013 upon an Emergency Petition to Remove Barbara Stone from Ward's Residence and Impose Supervised Visitation filed by the Successor Co-Guardians of the Person, JACQUELINE HERTZ and BLAIRE LAPIDES. This court finds that (a) the parties attorney's were furnished telephonic and written notice of this hearing with copies of the Motion on an expedited basis due to the emergency nature of this matter; (b) on February 7, 2013 the Successor Co-Guardians were duly appointed and Letters of Co-Guardianship of the Person were issued; (c) the Successor Co-Guardians of the Person have the power to determine what persons may have access to and visit with the Ward; (d) the Ward's care, custody, control and delegable rights and powers have been relegated to the Co-Guardians of the Person, other than the right to vote and travel with assistance that she retained; (e) the Ward's daughter, BARBARA STONE, while staying with the Ward at her residence engaged in conduct that adversely effected the health, care and welfare of the Ward; and (f) there is competent substantial evidence that in the best interest of Ward, BARBARA STONES's right of visitation should be restricted. It is therefore:

ADJUDGED, that BARBARA STONE is hereby ordered and directed to vacate and leave the Ward's residence located at 18181 N. E. 31st Court, Apartment 110, North Miami Beach, Florida 33160 no later than <sup>5:00</sup> ~~6:00~~ p.m. on March 8, 2013.

FURTHER ADJUDGED, that BARBARA STONE is prohibited from staying at the Ward's residence while visiting the Ward hereafter; and all further visits with the Ward shall be supervised by either a Successor Co-Guardian of the Person or a health care worker with at least five [5] days advanced notice given to a Successor Co-Guardian of the Person of BARBARA STONE's intentions to visit. BARBARA STONE may continue to speak to the Ward by telephone. The length of the

EXHIBIT "A"

A TRUE COPY  
CERTIFICATION ON LAST PAGE  
HARVEY RUVIN, CLERK



supervised visitation with the Ward shall be determined at the discretion of the Successor Co-Guardians of the Person.

FURTHER ADJUDGED, that should BARBARA STONE fail to vacate and remove herself from the Ward's residence by no later than <sup>5:00 PM</sup> 6:00 p.m. on March 8, 2013, either Co-Guardian of the Person may enforce this Court Order by presenting a certified copy to a Miami-Dade County Deputy Sheriff.

ORDERED in Chambers in Miami-Dade County, Florida, this \_\_\_\_\_ day of March, 2013.

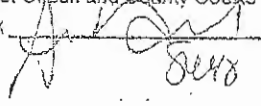
MAR 08 2013

MAR 08 2013

  
CIRCUIT COURT JUDGE

Copies furnished: Steven B. Dolohin, Esq.  
Robert M. Trinkler, Esq.  
Lawrence Levy, Esq.  
Deborah R. Waks, Esq.  
Mark F. Raymond, Esq.

MICHAEL A. GENDEN  
CIRCUIT COURT JUDGE

STATE OF FLORIDA, COUNTY OF MIAMI-DADE  
I HEREBY CERTIFY that the foregoing is a true and correct copy of the original on file in this office, \_\_\_\_\_ AD 20  
HARVEY RUVIN, CLERK of Circuit and County Courts  
Deputy Clerk 



MAR 08 2013



EXHIBIT "1"

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT  
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

IN RE: THE  
GUARDIANSHIP  
OF HELEN STONE,

File No. 12-4330-GD  
PROBATE DIVISION

Incapacitated.

ORDER AUTHORIZING HOSPITAL VISITATION  
BETWEEN THE WARD AND THE PETITIONER

THIS CAUSE, having come before the Court on November 14, 2013, upon the  
Petitioner's Ore Tenus Motion for Court Authorization for Hospital Visitation between the Ward  
and the Petitioner, and this Court having reviewed the file, and having heard from the  
record, it is hereby ORDERED AND ADJUDGED as follows:

FILED FOR RECORD  
13 NOV 15 AM 10:26  
CLERK, CIRCUIT & COUNTY CTs.  
MIAMI-DADE COUNTY, FLORIDA

1. The Petitioner, BARBARA STONE, is authorized to visit the Ward, HELEN STONE, during her current hospitalization and rehabilitation, at the hospital/rehabilitation facility, from 9:00 a.m. to 12:00 p.m. and from 3:00 p.m. to 5:00 p.m. daily.

2. BARBARA STONE shall be permitted to visit with HELEN STONE for the entire duration of time set forth above and without the supervision of the Co-Guardians for HELEN STONE.

3. BARBARA STONE shall not impede, interfere with, or disrupt the hospital/rehabilitation facility staff's ability to perform their duties and treat HELEN STONE.

4. Should the hospital/rehabilitation facility staff have a good faith belief that BARBARA STONE has become an impediment to the staff's ability to perform their duties in

*of which consists of the ward*

caring for HELEN STONE or has become harmful to the care and treatment of HELEN STONE, the hospital/rehabilitation facility staff shall immediately contact one of the Co-Guardians for HELEN STONE (Blaire Lapedes at 954-648-7907 or Jacqueline Hertz at 186-269-7751) to notify them of BARBARA STONE's actions in violation of this Order.

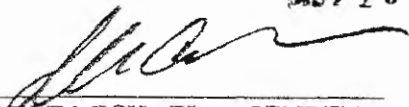
5. In the event the Co-Guardians are contacted by the staff and advised of the staff's good faith belief that BARBARA STONE has become an impediment to the staff's ability to perform their duties in caring for HELEN STONE or has become harmful to the care and treatment of HELEN STONE, the Co-Guardians may seek an emergency order from the Court removing BARBARA STONE from the facility and terminating further unsupervised institutional visitations.

6. Counsel for the parties shall attempt to communicate with each other as to any issues that may arise during visitation.

7. Upon entry of this Order, the Co-Guardians shall immediately serve this Order upon Aventura Hospital and Medical Center so that they are aware of entry of this Order, of BARBARA STONE's unsupervised visitation rights, and the remedies available should BARBARA STONE interfere with the care and treatment of HELEN STONE as set forth above.

DONE AND ORDERED in Miami-Dade County, Florida on this 15 day of November, 2013.

NOV 15 2013

  
HONORABLE MICHAEL A. GENDEN  
CIRCUIT COURT JUDGE

**MICHAEL A. GENDEN**  
CIRCUIT JUDGE

cc: Roy Lustig, Esq.  
Ronald S. Lowy, Esq.  
Aventura Hospital and Medical Center

STATE OF FLORIDA, COUNTY OF MIAMI-DADE  
I HEREBY CERTIFY that the foregoing is a true and correct copy of the original on file in this office. AD 20  
LADYEV BIVIN, CLERK of Circuit and County Courts



IN THE CIRCUIT COURT FOR MIAMI-DADE COUNTY,  
FLORIDA PROBATE DIVISION

IN RE: GUARDIANSHIP OF  
HELEN STONE

File No. 12-4330  
Division 01

**EMERGENCY ORDER FOR CONTEMPT AND  
TEMPORARY INJUNCTION AGAINST VIOLENCE  
FROM BARBARA STONE**

On the Emergency Motion by the Co-Guardians Blaire Lapidés and Jacqueline Hertz, for a Court Order for Contempt and Sanctions in the form of a Temporary Injunction for Protection from Barbara Stone for Violation of Court Order dated November 15, 2013 ("Emergency Motion"). The Court having jurisdiction of the parties and the subject matter under the laws of Florida, the court having examined the file in this proceeding and finding that the material allegations of the Motion are true, and being otherwise fully advised.

**FINDINGS**

The statements made under oath by the Co-Guardians appear that the Ward, Helen Stone, is a victim of violence by Barbara Stone, and the Co-Guardians Blaire Lapidés and Jacqueline Hertz have reasonable cause to believe they are in imminent danger of becoming victims of violence by Barbara Stone, and that irreparable harm and injury will probably occur in the form of violence to them or persons lawfully with treating or caring for the Ward, Helen Stone, unless this injunction is issued without notice. That Barbara Stone has violated this Court's Order of November 15, 2013.

**TEMPORARY INJUNCTION AND TERMS**

This injunction shall be effective until a hearing on a Final Judgment for Protection against Violence is issued in this cause and this Temporary Injunction shall remain in full force and effect until that Final Judgment of Injunction is issued. This injunction is valid and enforceable in all counties of the State of Florida. The terms of this injunction may not be changed by either party alone or by both parties together. Only the Court may modify the terms of this injunction. Either party may request the change or end this injunction. Any violation of this injunction, whether or not at the invitation of the

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2013 DEC 20 PM 2:03  
COURT CLERK

A TRUE COPY  
CERTIFICATION ON JURY PISE  
COURT CLERK

Ward, Helen Stone, or anyone else, may subject Barbara Stone to civil or indirect criminal contempt proceedings, including the imposition of a fine or imprisonment, and also may subject Barbara Stone to criminal prosecution, including the imposition of a fine, jail, or both, as provided by Florida Statutes. In addition, it is a federal criminal felony offense to cross state lines or enter Indian country for the purpose of engaging in conduct that is prohibited in this injunction.

**ORDERED AND ADJUDGED** as follows:

1. The Emergency Motion is hereby **GRANTED**.
2. **Violence Prohibited.** Barbara Stone shall not commit, or cause any other person to commit, any acts of violence against the Ward, Helen Stone, the Co-Guardians Blaire Lapidés and Jacqueline Hertz . Violence includes: assault, aggravated assault, battery, aggravated battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any other criminal offense resulting in physical injury or death to the Ward, Helen Stone, the Co-Guardians Blaire Lapidés and Jacqueline Hertz or any of their family or household members who are residing with them or persons treating and/or caring for the Ward, Helen Stone.
3. **No Contact.** Unless otherwise provided herein, Barbara Stone shall have no contact with the Ward, Helen Stone or the Co-Guardians Blaire Lapidés and Jacqueline Hertz or any persons treating and/or caring for the Ward, Helen Stone. Barbara Stone shall not directly or indirectly contact Helen Stone, Blaire Lapidés, Jacqueline Hertz or any persons treating and/or caring for Helen Stone in person, by mail, e-mail, fax, telephone, through another person, or in any other manner. Unless otherwise provided herein, **Barbara Stone shall not go to, in, or within 1000 feet of: Helen Stone's permanent residence, current residence, or current placement or residence to which Helen Stone may move; Blaire Lapidés's permanent residence, current residence, or residence to which Blaire Lapidés may move or employment; or Jacqueline Hertz's permanent residence, current residence, or residence to which Jacqueline Hertz may move or employment;**

**DIRECTIONS TO LAW ENFORCEMENT OFFICER IN ENFORCING THIS INJUNCTION**

1. The Sheriff of Miami Dade County, or any other authorized law enforcement officer is ordered to serve this temporary injunction upon Barbara Stone as soon as possible after its issuance.

A TRUE COPY  
CERTIFICATION ON LAST PAGE  
MAREY RUVIN, CLERK

2. This injunction is valid in all counties of the State of Florida. Violation of this injunction should be reported to the appropriate law enforcement agency. Law enforcement officers of the jurisdiction in which a violation of this injunction occurs shall enforce the provisions.

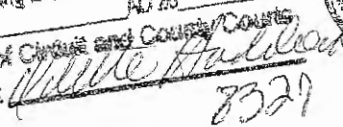
3. Should any Florida law enforcement officer having jurisdiction have probable cause to believe that Barbara Stone has knowingly violated this injunction, the officer may arrest Barbara Stone, confine her in the county jail without bail, and bring her before this Court on the next regular court day so that Barbara Stone can be dealt with according to law. The arresting agent shall notify the State Attorney's Office immediately after arrest. THIS INJUNCTION IS ENFORCEABLE IN ALL COUNTIES OF FLORIDA AND LAW ENFORCEMENT OFFICERS MAY EFFECT ARRESTS PURSUANT TO SECTION 901.15(6), FLORIDA STATUTES.

4. This injunction shall stay in effect until such time as a hearing on a permanent final judgment of injunction is issued against Barbara Stone protecting the Ward, the Co-Guardians and all persons lawfully with treating and/or caring for the Ward.

Done and Ordered in Chambers in Miami Dade County, Florida on this 12/20, 2013.

  
MICHAEL A. GENDEN  
CIRCUIT COURT JUDGE

MICHAEL A. GENDEN  
CIRCUIT COURT JUDGE

STATE OF FLORIDA, COUNTY OF MIAMI-DADE  
I HEREBY CERTIFY that the foregoing is a true and correct copy of the  
original on file in this office. AD 20  
HARVEY RUVIN, CLERK of Circuit and County Courts  
Deputy Clerk   
8329



DEC 20 2013

IN RE: GUARDIANSHIP OF  
HELEN STONE,  
the Ward

IN THE CIRCUIT COURT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA.

PROBATE DIVISION  
CASE NO.: 12-4330 GD 01

MOTION FOR ORDER TO SHOW CAUSE

Successor Guardians of the Person of Helen Stone, JACQUELINE HERTZ and BLAIRE LAPIDES, by and through their undersigned counsel, respectfully moves this Honorable Court for an Order to Show Cause against Barbara Stone, and in support thereof states:

1. On the 20<sup>th</sup> day of December, 2013, this Honorable Court entered its Emergency Order for Contempt and Temporary Injunction Against Violence from Barbara Stone (“**Order**”). The Order required, in part, that Barbara Stone not to perform the following acts:

*Paragraph 3 “No Contact. Unless otherwise provided herein, Barbara Stone shall have no contact with the Ward, Helen Stone or the Co-Guardians Blaire Lapides and Jacqueline Hertz or any persons treating and/or caring for the Ward, Helen Stone. Barbara Stone shall not directly or indirectly contact Helen Stone, Blaire Lapides, Jacqueline Hertz or any persons treating and/or caring for Helen Stone in person, by mail, e-mail, fax, telephone, through another person, or in any other manner. Unless otherwise provided herein, Barbara Stone shall not go to, in, or within 1000 feet of: Helen Stone’s permanent residence, current residence, or current placement or residence to which Helen Stone may move; Blaire LAPIDES’ permanent residence, current residence, or residence to which Blaire Lapides may move or employment; or Jacqueline Hertz’s permanent residence, current residence, or residence to which Jacqueline Hertz may move or employment”; (Emphasis added)*

A copy of the Order is attached as Exhibit “A”. Nowhere in the Order did it provide for any contact with *the Ward, Helen Stone or the Co-Guardians Blaire Lapides and Jacqueline Hertz or any persons treating and/or caring for the Ward, Helen Stone.*

2. Said Order has been in full force and effect since its entry and a certified copy thereof was personally served by the undersigned counsel upon Barbara Stone in the Miami Dade County Jail on December 20, 2013, at 12:10 p.m., who at all times has had knowledge of its terms.

3. Barbara Stone has failed and refused to comply with and has disobeyed and disregarded the provisions of the said Order by the following acts in order to continue her intimidation, manipulation and coercion:

- a. On December 30, 2013, Barbara Stone called by phone the Palm Gardens of Aventura Rehabilitation Facility and spoke with Chris Tetrault, its Administrator, *"demanding to be informed of the location of her mother Helen Stone"* A copy of Mr. Tetrault's e-mail to the Co-Guardians is attached as **Exhibit "B"**; and
- b. On December 30, 2013, Barbara Stone's 7<sup>th</sup> new counsel Lawrence R. Metsch, faxed a letter to Mr. Steve G. Phillip, President of Darmony, Inc, d/b/a ComfortKeepers, and its franchisees offices and corporate offices to the attention of its chairman. Comfortkeepers is a company that the Co-Guardians having been using to supply 24/7 caregiver and nursing staff for the Ward. Mr. Metsch stated in part that, *" The law firm represents Ms. Barbara Stone, the adult daughter of Mrs. Helen R. Stone, as Incapacitated Person, whose guardianship estate is being administered under the above-styled case. On behalf of Ms. Barbara Stone. we have this date filed an emergency supplemental petition to remove the co-guardians of the person and the property of Mrs Helen R. Stone, an Incapacitated Person, on the grounds of abuse and neglect. Ms. Barbara Stone is concerned that, during December, 2013, your agency sent a person to care for Mrs Helen R. Stone. an Incapacitated Person, in the Palm Garden facility, Aventura, Florida, who did not possess a Florida health care license. That person*

*was administering oxygen and performing other medical procedures requiring Florida licensure.....”*

A copy of Mr. Metsch’s December 30, 2013 letter is attached as **Exhibit “C”**.

4. The effect of Barbara Stone’s attorney’s letter of December 30, 2013, has left another healthcare provider refusing services to the Ward, Helen Stone, based upon actions of Barbara Stone. A copy of the January 9, 2014 e-mail from Steve Phillip of Comfortkeepers terminating services to the Ward is attached as **Exhibit “D”**.

5. The foregoing conduct by Barbara Stone and her counsel is more particularly described and attested to by the sworn Affidavit of both Co-Guardians Jacqueline Hertz and Blaire Lapidés which is attached hereto as **Composite Exhibit “E”**.

6. By reason of Barbara Stone’s failure to comply with the aforesaid provisions of this Court’s Order, Barbara Stone has committed an indirect criminal contempt of the authority of this court.

WHEREFORE, the Co-Guardians BLAIRE LAPIDES and JACQUELINE HERTZ respectfully moves this Honorable Court for an Order requiring Barbara Stone to appear and show cause why she should not be judged in Indirect Criminal Contempt of this Court and for an Order adjudging Barbara Stone to be in Indirect Criminal Contempt of Court for violation of the terms of said Emergency Order for Contempt and Temporary Injunction Against Violence from Barbara Stone and for such punishment as this Court may deem to be just and proper. Further, surcharging Barbara Stone for reasonable attorney’s fees and costs of litigation along with the Co-Guardians fees and costs accruing from her acts as set forth herein.



Respectfully submitted,

ROY R. LUSTIG, P.A.  
Counsel for the Co-Guardians  
Jacqueline Hertz and Blaire Lapidés  
28 West Flagler Street, Suite 710  
Miami, FL 3313  
Tel: (305) 371-4213  
Fax: (305) 371-4259  
E-mail: [Roy@RLustig-law.com](mailto:Roy@RLustig-law.com)

By:           /s/ Roy R. Lustig            
ROY R. LUSTIG, ESQ  
FBN. 280070

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via e-mail on the below persons this 11<sup>th</sup> day of February, 2014.

*Mark F. Raymond, Esquire*  
One Biscayne Tower, 21<sup>st</sup> Floor  
2 South Biscayne Boulevard  
Miami, Florida 33131  
E-mail: [mraymond@broadandcassel.com](mailto:mraymond@broadandcassel.com)  
E-mail: [adonner@broadandcassel.com](mailto:adonner@broadandcassel.com)  
*Counsel for Alan Stone*

*Barbara Stone, Pro se*  
E-Mail: [bstone12@hotmail.com](mailto:bstone12@hotmail.com)

By           /s/ Roy R. Lustig            
Roy R. Lustig, Esq.

IN THE CIRCUIT COURT FOR MIAMI-DADE COUNTY,  
FLORIDA PROBATE DIVISION

IN RE: GUARDIANSHIP OF  
HELEN STONE

File No. 12-4330  
Division 01

**EMERGENCY ORDER FOR CONTEMPT AND  
TEMPORARY INJUNCTION AGAINST VIOLENCE  
FROM BARBARA STONE**

**Exhibit "A"**

On the Emergency Motion by the Co-Guardians Blaire Lapides and Jacqueline Hertz, for a Court Order for Contempt and Sanctions in the form of a Temporary Injunction for Protection from Barbara Stone for Violation of Court Order dated November 15, 2013 ("Emergency Motion"). The Court having jurisdiction of the parties and the subject matter under the laws of Florida, the court having examined the file in this proceeding and finding that the material allegations of the Motion are true, and being otherwise fully advised.

**FINDINGS**

The statements made under oath by the Co-Guardians appear that the Ward, Helen Stone, is a victim of violence by Barbara Stone, and the Co-Guardians Blaire Lapides and Jacqueline Hertz have reasonable cause to believe they are in imminent danger of becoming victims of violence by Barbara Stone, and that irreparable harm and injury will probably occur in the form of violence to them or persons lawfully with treating or caring for the Ward, Helen Stone, unless this injunction is issued without notice. That Barbara Stone has violated this Court's Order of November 15, 2013.

**TEMPORARY INJUNCTION AND TERMS**

This injunction shall be effective until a hearing on a Final Judgment for Protection against Violence is issued in this cause and this Temporary Injunction shall remain in full force and effect until that Final Judgment of Injunction is issued. This injunction is valid and enforceable in all counties of the State of Florida. The terms of this injunction may not be changed by either party alone or by both parties together. Only the Court may modify the terms of this injunction. Either party may request the change or end this injunction. Any violation of this injunction, whether or not at the invitation of the Court, shall be cause for contempt of court.

FILED IN COURT ORDER  
NOV 20 2013  
PAGE: 03

A TRUE COPY  
CERTIFICATION OF DEPOSIT  
CLERK

Ward, Helen Stone, or anyone else, may subject Barbara Stone to civil or indirect criminal contempt proceedings, including the imposition of a fine or imprisonment, and also may subject Barbara Stone to criminal prosecution, including the imposition of a fine, jail, or both, as provided by Florida Statutes. In addition, it is a federal criminal felony offense to cross state lines or enter Indian country for the purpose of engaging in conduct that is prohibited in this injunction.

**ORDERED AND ADJUDGED** as follows:

1. The Emergency Motion is hereby **GRANTED**.
2. **Violence Prohibited.** Barbara Stone shall not commit, or cause any other person to commit, any acts of violence against the Ward, Helen Stone, the Co-Guardians Blaire Lapidés and Jacqueline Hertz. Violence includes: assault, aggravated assault, battery, aggravated battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any other criminal offense resulting in physical injury or death to the Ward, Helen Stone, the Co-Guardians Blaire Lapidés and Jacqueline Hertz or any of their family or household members who are residing with them or persons treating and/or caring for the Ward, Helen Stone.
3. **No Contact.** Unless otherwise provided herein, Barbara Stone shall have no contact with the Ward, Helen Stone or the Co-Guardians Blaire Lapidés and Jacqueline Hertz or any persons treating and/or caring for the Ward, Helen Stone. Barbara Stone shall not directly or indirectly contact Helen Stone, Blaire Lapidés, Jacqueline Hertz or any persons treating and/or caring for Helen Stone in person, by mail, e-mail, fax, telephone, through another person, or in any other manner. Unless otherwise provided herein, Barbara Stone shall not go to, in, or within 1000 feet of: Helen Stone's permanent residence, current residence, or current placement or residence to which Helen Stone may move; Blaire Lapidés's permanent residence, current residence, or residence to which Blaire Lapidés may move or employment; or Jacqueline Hertz's permanent residence, current residence, or residence to which Jacqueline Hertz may move or employment.

**DIRECTIONS TO LAW ENFORCEMENT OFFICER IN ENFORCING THIS INJUNCTION**

1. The Sheriff of Miami Dade County, or any other authorized law enforcement officer is ordered to serve this temporary injunction upon Barbara Stone as soon as possible after its issuance.

AT THE COURT  
CERTIFICATION ON LAST PAGE  
MAY RUVIN, CLERK

2. This injunction is valid in all counties of the State of Florida. Violation of this injunction should be reported to the appropriate law enforcement agency. Law enforcement officers of the jurisdiction in which a violation of this injunction occurs shall enforce the provisions.

3. Should any Florida law enforcement officer having jurisdiction have probable cause to believe that Barbara Stone has knowingly violated this injunction, the officer may arrest Barbara Stone, confine her in the county jail without bail, and bring her before this Court on the next regular court day so that Barbara Stone can be dealt with according to law. The arresting agent shall notify the State Attorney's Office immediately after arrest. THIS INJUNCTION IS ENFORCEABLE IN ALL COUNTIES OF FLORIDA AND LAW ENFORCEMENT OFFICERS MAY EFFECT ARRESTS PURSUANT TO SECTION 901.15(6), FLORIDA STATUTES.

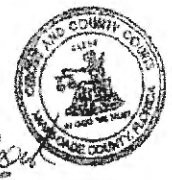
4. This injunction shall stay in effect until such time as a hearing on a permanent final judgment of injunction is issued against Barbara Stone protecting the Ward, the Co-Guardians and all persons lawfully with treating and/or caring for the Ward.

Done and Ordered in Chambers in Miami Dade County, Florida on this 12/20, 2013.

*[Signature]*  
MICHAEL A. GENDEN  
CIRCUIT COURT JUDGE

**MICHAEL A. GENDEN**  
CIRCUIT COURT JUDGE

STATE OF FLORIDA, COUNTY OF MIAMI-DADE  
I HEREBY CERTIFY that the foregoing is a true and correct copy of the  
original on file in this office. AD 20  
HARVEY RUVIN, CLERK of Circuit and County Courts  
Deputy Clerk *[Signature]* 8329



DEC 20 2013

From: Chris Tetrault <chris.tetrault@paimgarden.com>  
To: "bjlapides@bellsouth.net" <bjlapides@bellsouth.net>; "jshcara@bellsouth.net"  
<jshcara@bellsouth.net>  
Sent: Monday, December 30, 2013 2:46 PM  
Subject: Barbara Stone

This e-mail is to inform you that I received a call from Barbara Stone this morning demanding to be informed of the location of her mother Heien Stone. I told her I was unable to provide that information to her. Please let me know if you have any questions.

Thanks,  
Chris Tetrault, NHA  
Administrator

Exhibit "B"

12/31/2013 15:34 FAX 8543206502  
From +1.305.572.7058

Comfort Keepers  
Mon 30 Dec 2013 04:12:18 PM EST

00003/0004  
ID #2863030 Page 2 of 3

**METSCHLAW, P. A.**

AVENTURA CORPORATE CENTER  
20401 BISCAYNE BOULEVARD, SUITE 300  
AVENTURA, FLORIDA 33160-1423

LAWRENCE R. METSCH\*  
\*ALSO ADMITTED IN CONNECTICUT

TELEPHONE 305-792-2540  
TELECOPIER 305-792-2541  
E-MAIL: L.METSCH@METSCH.COM  
WWW.METSCH.COM

December 30, 2013

VIA TELECOPIER: 954-920-5502

Mr. Steve G. Phillip  
President, Darmony, Inc.  
2632 Hollywood Blvd.  
Hollywood, FL 33020

Re: The Guardianship of Helen R. Stone,  
Incapacitated Person, Case No. 12-4330-  
GD (CP 01), Probate and Guardianship  
Division, Eleventh Circuit Court, Miami-  
Dade County, Florida

Dear Mr. Phillip:

This law firm represents Ms. Barbara Stone, the adult daughter of Mrs. Helen R. Stone, an Incapacitated Person, whose guardianship estate is being administered under the above-styled case. On behalf of Ms. Barbara Stone, we have this date filed an emergency supplemental petition to remove the co-guardians of the person and the property of Mrs. Helen R. Stone, an Incapacitated Person, on the grounds of abuse and neglect.

Ms. Barbara Stone is concerned that, during December, 2013, your agency sent a person to care for Mrs. Helen R. Stone, an Incapacitated Person, in the Palm Garden facility, Aventura, Florida, who did not possess a Florida health care license.<sup>1</sup> That person was administering oxygen and performing other medical procedures requiring Florida licensure.

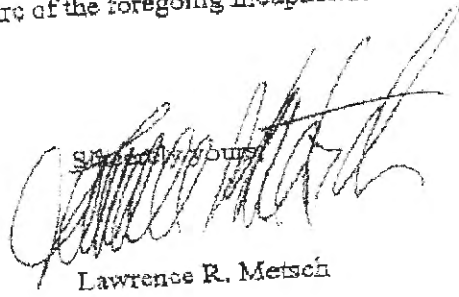
<sup>1</sup> The person refused to provide her health care license card or identify herself. Only after the head nurse at the Palm Garden facility demanded that she identify herself, did she state that her name was Randy McMorris, Randi Morris, or Randy Morris.

Exhibit "C"

Mr. Steve G. Phillip  
December 30, 2013  
Page 2

Consequently, please provide this law firm with the names of all the individuals who have been assigned by your agency to the care of the foregoing Incapacitated Person during the month of December, 2013.

Thank you.

  
Sincerely yours,  
Lawrence R. Metsch

CC: Mr. George Chavcl  
Chief Executive Officer and President  
SODEXO USA  
9801 Washingtonian Blvd.  
Gaithersburg, MD 20878  
Fax: 301-987-4975  
[george.chavcl@sodexo.com](mailto:george.chavcl@sodexo.com)

M. Pierre Bellon  
Chairman, SODEXO Group  
Michel Landel  
President, SODEXO Group  
235 quai de la Bataille de Stalingrad  
9213 Issy-les-Moulineaux  
France  
[pierre.bellon@sodexo.com](mailto:pierre.bellon@sodexo.com)  
[michel.landel@sodexo.com](mailto:michel.landel@sodexo.com)





---

From: Steve Phillip [hollywoodfl@comfortkeepers.com]  
Sent: Thursday, January 09, 2014 1:04 PM  
To: 'Blaire Lapidis'  
Cc: jshcares@afl.net; 'Susan Aungemma'; Roy R. Lustig; jshcare@calisouth.net  
Subject: RE: Helen Stone

Blair,

As you know, we received a letter from Barbara Stone's attorneys on December 30 requesting the licenses from all of our staff that provided services to Mrs. Stone in December 2013. In that letter the attorney suggested that Helen Stone was subject to abuse and neglect and that our staff administered oxygen and performed medical procedures without a license. We realize that these allegations are false; the staff in questions is licensed and medical care and procedures was not in our scope. Nonetheless, while at first glance these allegations seemed tame, we have been advised to retain legal counsel in the event that this matter goes beyond this point.

It is apparent now that this situation will require us to retain an attorney that will work to defend our license and reputation. This is a business cost that we would prefer not to incur especially considering the value to us of this client. We also stand to lose a lot in time, relationships and reputation. It may not be possible for you to shield us from frivolous accusations, investigations and the cost involved in defending ourselves. While we feel that our services are a great value to Helen Stone it is ultimately not feasible to continue to serve her and you in this environment. Please understand the position in which this case has brought us. I am sorry again for the short notice but it seems that conditions change quickly as more information is presented regarding Helen and Barbara Stone. I hope that you can find another agency in a timely manner as we will be providing a sitter through tomorrow, Friday January 10 at 7 PM. Our services will conclude at that time.

Best regards,

*Steve Phillip*  
Comfort Keepers

(954) 920 - 0055  
(954) 920 - 5502 fax  
[hollywoodfl@comfortkeepers.com](mailto:hollywoodfl@comfortkeepers.com)  
[www.comfortkeepers.com/hollywoodfl](http://www.comfortkeepers.com/hollywoodfl)

Exhibit "D"

AFFIDAVIT OF JACQUELINE HERTZ AND BLAIRE LAPIDES

STATE OF FLORIDA                    )  
  )SS  
COUNTY OF MIAMI DADE         )

BEFORE ME, the undersigned authority, personally appeared Jacqueline Hertz and Blaire Lapidés, who being first duly sworn under oath depose and say:

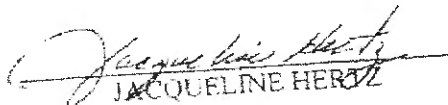
1. They both are the Co-Guardians of the Person of Helen Stone.
2. On the 20<sup>th</sup> day of December, 2013, the Honorable Michael A. Genden entered an Emergency Order for Contempt and Temporary Injunction Against Violence from Barbara Stone ("Order").
3. That Barbara Stone has willfully failed and refused to comply with this Court's Order and has willfully refused and failed to comply with said Order by the following acts of conduct:

- a. As set forth in the Chris Tetrault e-mail dated December 30, 2013, marked as Exhibit B to the Motion, Barbara Stone called by phone the Palm Gardens of Aventura Rehabilitation Facility and spoke with Chris Tetrault, its Administrator, "demanding to be informed of the location of her mother Helen Stone"; and
- b. On December 30, 2013, Jacqueline Hertz received a fax from Steve G. Phillip President of Darmony, Inc, d/b/a ComfortKeepers, attaching a fax and a letter dated December 30, 2013, sent to him and copied to its franchisees offices and corporate offices to the attention of its chairman from Barbara Stone's newly retained counsel Lawrence R. Metsch. Comfortkeepers is a company that the Co-Guardians having been using to supply 24/7 caregiver and nursing staff for the Ward. Mr. Metsch stated in part that, "*The law firm represents Ms. Barbara Stone, the adult daughter of Mrs. Helen R. Stone, as Incapacitated Person, whose guardianship estate is being administered under the above-styled case. On behalf of Ms. Barbara Stone, we have this date filed an*

Composite Exhibit "E"

emergency supplemental petition to remove the co-guardians of the person and the property of Mrs. Helen R. Stone, an Incapacitated Person, on the grounds of abuse and neglect. Ms. Barbara Stone is concerned that, during December, 2013, your agency sent a person to care for Mrs. Helen R. Stone, an Incapacitated Person, in the Palm Garden facility, Aventura, Florida, who did not possess a Florida health care license. That person was administering oxygen and performing other medical procedures requiring Florida licensure.....", Mr. Metsch's letter is marked as Exhibit "C" to the Motion

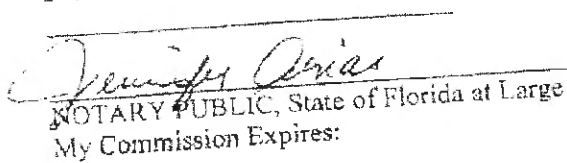
FURTHER AFFIANT SAYETH NAUGHT.

  
JACQUELINE HERTZ

\_\_\_\_\_  
BLAIRE LAPIDES

SWORN TO AND SUBSCRIBED before me on this 14 day of January, 2014,  
by Jacqueline Hertz.

Personally known  or  
Produced Identification \_\_\_\_\_ Type of Identification Produced:

  
NOTARY PUBLIC, State of Florida at Large  
My Commission Expires:



JENNIFER ARIAS  
MY COMMISSION FEE #43027  
EXPIRES: October 11, 2016  
Bonded Thru Budget Notary Services

SWORN TO AND SUBSCRIBED before me on this \_\_\_\_\_ day of \_\_\_\_\_,  
2014, by Blaire Lapides.

Personally known \_\_\_\_\_ or  
Produced Identification \_\_\_\_\_ Type of Identification Produced:

\_\_\_\_\_  
NOTARY PUBLIC, State of Florida at Large  
My Commission Expires:

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FURTHER AFFIANT SAYETH NAUGHT.

JACQUELINE HERTZ

*Blair Lapides*  
BLAIRE LAPIDES

SWORN TO AND SUBSCRIBED before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2014,  
by Jacqueline Hertz.

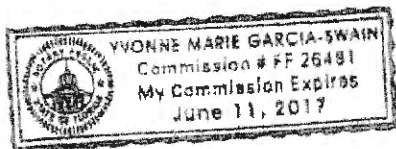
Personally known \_\_\_\_\_ or  
Produced Identification \_\_\_\_\_ Type of Identification Produced:  
\_\_\_\_\_

NOTARY PUBLIC, State of Florida at Large  
My Commission Expires:

SWORN TO AND SUBSCRIBED before me on this 13 day of January,  
2014, by Blaire Lapides.

Personally known X or  
Produced Identification \_\_\_\_\_ Type of Identification Produced:  
\_\_\_\_\_

*Yvonne Marie Garcia-Swain*  
NOTARY PUBLIC, State of Florida at Large  
My Commission Expires:



From: [eservice@myflicourtaccess.com](mailto:eservice@myflicourtaccess.com)

Date: Tue, 11 Feb 2014 15:10:27 -0500

Subject: SERVICE OF COURT DOCUMENT - CASE NUMBER 132012GD004330000002

This is an automatic e-mail message generated by the ePortal system. Please DO NOT RESPOND to this e-mail as the mail box is unattended.

Notice of Electronic Filing

The following transaction was entered on 02/11/2014 03:10:22 PM ET.

Court: Eleventh Judicial Circuit in and for Miami-Dade County, Florida

Case #: 132012GD004330000002

Case Style: STONE, HELEN R vs X

Document Title: Motion To Show Cause Treatment

Filer: Roy R Lustig 305-371-4213

Notice has been electronically mailed to:

Name	Primary Email	Alternate Email 1	Alternate Email 2
Mark Raymond	<a href="mailto:mraymond@broadandcassel.com">mraymond@broadandcassel.com</a>	<a href="mailto:adonner@broadandcassel.com">adonner@broadandcassel.com</a>	
Barbara Stone	<a href="mailto:bstone12@hotmail.com">bstone12@hotmail.com</a>		
Roy R Lustig	<a href="mailto:Roy@RLustig-law.com">Roy@RLustig-law.com</a>	<a href="mailto:Assistant@RLustig-law.com">Assistant@RLustig-law.com</a>	
Andrew R. Herron	<a href="mailto:herronaherron@herronortiz.com">herronaherron@herronortiz.com</a>		

health condition and the fact that she cannot be fed by mouth (NPO) since she is unable to maintain muscle strength in her throat to swallow and required nutrition by way of a PEG that had been installed by her physicians.

3. After approximately 9 hours of being held captive, the Aventura Police Department located both the Ward and Barbara Stone in a motel in Fort Lauderdale, Florida.

4. Barbara Stone has been formally charged with Custody/Interference, Abuse/Elderly/Disabled Adult, False Imprisonment and Protective Injunction Violation and is being held at the Miami Dade County Jail (TGKCC). A copy of the Miami Dade County Custody Information Personal Information sheet is attached hereto as **Exhibit "1"**.

5. Co-Guardians have reasonable cause and belief that they and the Ward are in imminent danger of becoming victims of violence by Barbara Stone upon her release from custody and that irreparable harm and injury will probably occur in the form of violence to the Ward and/or the Co-Guardians or persons lawfully with and/or caring for the Ward unless an injunction is issued without notice until such time as a Final Judgment of Injunction is issued.

6. Attached as **Exhibit "2"** is a Aventura Police Department Report dated June 28, 2012, wherein an officer interviewed the Ward. On page 2 of 4, the officer quoted the Ward who stated that **"SHE EXPRESSED THAT HER DAUGHTER IS AN ALCOHOLIC AND NEEDS HELP. SHE CONTINUED TO SAY THAT SHE DOES NOT WANT ANY FORM OF CONTACT WITH HER DAUGHTER. THE LAST TIME MRS STONE SPOKE WITH HER DAUGHTER WAS IN 2009 WHEN BARBARA WAS TRESPASSED FROM HER MOTHER'S APARTMENT AND THEN WAS BAKER ACTED UNDER CASE #09-00189. MRS STONE ADVISED SHE IS THE ONE THAT DISCONNECTS HER PHONE DURING THE DAY AND NIGHT TO PREVENT HER DAUGHTER FROM CALLING HER. IN THE PAST, HER DAUGHTER WOULD CALL AT ALL HOURS OF DAY AND NIGHT. MRS STONE ADVISED HER DAUGHTER'S CONVERSATIONS IN THE PAST HAVE BEEN HATEFUL TOWARD HER SON AND HERSELF. THEREFORE**

SHE DISCONNECTS HER PHONE AND WANTS NO TYPE OF RELATIONSHIP WITH HER DAUGHTER." The statement by the Ward demonstrated her fears and concerns for her safety.

WHEREFORE, the Co-Guardians BLAIRE LAPIDES and JACQUELINE HERTZ respectfully requests that this Honorable Court enter an order holding Barbara Stone in contempt for intentionally violating this Court's Order of November 15, 2013 and for sanctions in the form of a temporary injunction without further notice, until such time as a permanent final judgment of injunction is issued against Barbara Stone protecting the Ward, the Co-Guardians and all persons lawfully with and/or caring for the Ward.

\_\_\_\_\_  
Jacqueline Hertz

*Blair Lapides*  
\_\_\_\_\_  
Blair Lapides

State of Florida  
County of Miami Dade

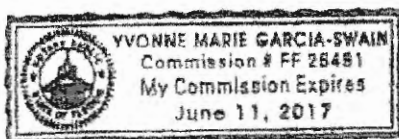
Sworn to or affirmed and signed before me on this 20<sup>th</sup> day of December, 2013, by  
Jacqueline Hertz. Personally Known \_\_\_\_\_ or produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public State of Florida at Large  
My Commission Expires

State of Florida  
County of Broward

Sworn to or affirmed and signed before me on this 20<sup>th</sup> day of December, 2013, by  
Blair Lapides. Personally Known  or produced \_\_\_\_\_ as identification.

*Yvonne Marie Garcia-Swain*  
\_\_\_\_\_  
Notary Public State of Florida at Large  
My Commission Expires



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*Jacqueline Hertz*  
Jacqueline Hertz

\_\_\_\_\_  
Blaire Lapidés

State of Florida  
County of Miami Dade

Sworn to or affirmed and signed before me on this 20<sup>th</sup> day of December, 2013, by Jacqueline Hertz. Personally Known  or produced \_\_\_\_\_ as identification.

*Jennifer Arias*  
\_\_\_\_\_  
Notary Public State of Florida at Large

My Commission Expires

*October 11, 2016*

State of Florida  
County of Broward



JENNIFER ARIAS  
MY COMMISSION # EE 843027  
EXPIRES: October 11, 2016  
Bonded Thru Budget Notary Services

Sworn to or affirmed and signed before me on this 20<sup>th</sup> day of December, 2013, by Blaire Lapidés. Personally Known \_\_\_\_\_ or produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public State of Florida at Large  
My Commission Expires



Respectfully submitted,

ROY R. LUSTIG, P.A.  
Counsel for the Co-Guardians  
28 West Flagler Street, Suite 710  
Miami, FL 3313  
Tel: (305) 371-4213  
Fax: (305) 371-4259  
E-mail: [Roy@RLustig-law.com](mailto:Roy@RLustig-law.com)

By:           /s/ Roy R. Lustig            
ROY R. LUSTIG, ESQ

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via e-mail on counsel on the below list of counsel this 20<sup>th</sup> day of December, 2013.

David Di Pietro, Esq.  
Florida Litigation Law Firm  
The Law Offices of David Di Pietro, P.A.  
12 SE 7<sup>th</sup> Street, Suite 606  
Fort Lauderdale, FL 33301  
E-Mail: [service@floridalitigationlawfirm.com](mailto:service@floridalitigationlawfirm.com);  
E-Mail: [david@floridalitigationlawfirm.com](mailto:david@floridalitigationlawfirm.com)  
*Counsel for Barbara Stone*

Mark F. Raymond, Esquire  
One Biscayne Tower, 21<sup>st</sup> Floor  
2 South Biscayne Boulevard  
Miami, Florida 33131  
E-mail: [mraymond@broadandcassel.com](mailto:mraymond@broadandcassel.com)  
E-mail: [adonner@broadandcassel.com](mailto:adonner@broadandcassel.com)  
*Counsel for Alan Stone*

By           /s/ Roy R. Lustig            
Roy R. Lustig, Esq.

AFFIDAVIT OF JACQUELINE HERTZ AND BLAIRE LAPIDES

STATE OF FLORIDA                    )  
  )SS  
COUNTY OF MIAMI DADE            )

BEFORE ME, the undersigned authority, personally appeared Jacqueline Hertz and Blaire Lapides, who being first duly sworn under oath depose and say:

1. They both are the Co-Guardians of the Person of Helen Stone.
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3. That Barbara Stone has willfully failed and refused to comply with this Court's Order and has willfully refused and failed to comply with said Order by the following acts of conduct:
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  - b. On December 30, 2013, Jacqueline Hertz received a fax from Steve G. Phillip President of Darmony, Inc, d/b/a ComfortKeepers, attaching a fax and a letter dated December 30, 2013, sent to him and copied to its franchisees offices and corporate offices to the attention of its chairman from Barbara Stone's newly retained counsel Lawrence R. Metsch. Comfortkeepers is a company that the Co-Guardians having been using to supply 24/7 caregiver and nursing staff for the Ward. Mr. Metsch stated in part that, "*The law firm represents Ms. Barbara Stone, the adult daughter of Mrs. Helen R. Stone, as Incapacitated Person, whose guardianship estate is being administered under the above-stated case. On behalf of Ms. Barbara Stone, we have this date filed an*

Composite Exhibit "E"

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FURTHER AFFLIANT SAYETH NAUGHT.

JACQUELINE HERTZ  
*Blaine Lapides*  
BLAIRE LAPIDES

SWORN TO AND SUBSCRIBED before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by Jacqueline Hertz.

Personally known \_\_\_\_\_ or  
Produced Identification \_\_\_\_\_ Type of Identification Produced:  
\_\_\_\_\_

NOTARY PUBLIC, State of Florida at Large  
My Commission Expires:

SWORN TO AND SUBSCRIBED before me on this 13 day of January, 2014, by Blaine Lapides.

Personally known X or  
Produced Identification \_\_\_\_\_ Type of Identification Produced:  
\_\_\_\_\_

*Yvonne Marie Garcia Swain*  
NOTARY PUBLIC, State of Florida at Large  
My Commission Expires:



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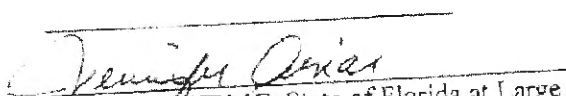
FURTHER AFFIANT SAYETH NAUGHT.

  
JACQUELINE HERTZ

BLAIRE LAPIDES

SWORN TO AND SUBSCRIBED before me on this 14 day of January, 2014, by Jacqueline Hertz.

Personally known  or  
Produced Identification \_\_\_\_\_ Type of Identification Produced:

  
NOTARY PUBLIC, State of Florida at Large  
My Commission Expires:



JENNIFER ARIAS  
MY COMMISSION # EE 943027  
EXPIRES: October 11, 2016  
Passed Thru Budget Notary Services

SWORN TO AND SUBSCRIBED before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2014, by Blaire Lapidés.

Personally known \_\_\_\_\_ or  
Produced Identification \_\_\_\_\_ Type of Identification Produced:

\_\_\_\_\_  
NOTARY PUBLIC, State of Florida at Large  
My Commission Expires:

IN RE: GUARDIANSHIP OF  
HELEN STONE,  
the Ward

CLERK, CIRCUIT COURT  
DADE COUNTY

FILED FOR RECORD

2014 FEB 05 11 AM 10:08

IN THE CIRCUIT COURT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA.

PROBATE DIVISION  
CASE NO.: 12-4330 GD 01

ORDER TO SHOW CAUSE

2-11-14  
3:40 PM  
CS/10

UPON CONSIDERATION of the Co-Guardians Jacqueline Hertz and Blaire

Lapides's Motion for the Issuance of an Order to Show Cause and the attached sworn affidavit filed with the Court by the Co-Guardians in this cause and upon review of this Court's its Emergency Order for Contempt and Temporary Injunction Against Violence from Barbara Stone, dated December 20, 2013 ("**Order**"), this Court finds:

That the attached Order enjoined Barbara Stone from performing any of the following acts:

*Paragraph 3 "No Contact. Unless otherwise provided herein, Barbara Stone shall have no contact with the Ward, Helen Stone or the Co-Guardians Blaire Lapides and Jacqueline Hertz or any persons treating and/or caring for the Ward, Helen Stone. Barbara Stone shall not directly or indirectly contact Helen Stone, Blaire Lapides, Jacqueline Hertz or any persons treating and/or caring for Helen Stone in person, by mail, e-mail, fax, telephone, through another person, or in any other manner. Unless otherwise provided herein, Barbara Stone shall not go to, in, or within 1000 feet of: Helen Stone's permanent residence, current residence, or current placement or residence to which Helen Stone may move; Blaire LAPIDES' permanent residence, current residence, or residence to which Blaire Lapides may move or employment; or Jacqueline Hertz's permanent residence, current residence, or residence to which Jacqueline Hertz may move or employment"*

A TRUE COPY  
CERTIFICATION ON LAST PAGE  
HARVEY RUVIN, CLERK

The Co-Guardians have petitioned this Court for an Order adjudging Barbara Stone to be in Indirect Criminal Contempt of Court for the willful disregard and disobedience of the provisions of this Court's Order by engaging in the following acts of conduct:

- a. On December 30, 2013, Barbara Stone called by phone the Palm Gardens of Aventura Rehabilitation Facility and spoke with Chris Tetrault, its Administrator, *"demanding to be informed of the location of her mother Helen Stone"*; and
- b. On December 30, 2013, Barbara Stone's 7<sup>th</sup> new counsel Lawrence R. Metsch, faxed a letter to Mr. Steve G. Phillip, President of Darmony, Inc, d/b/a ComfortKeepers, and its franchisees offices and corporate offices to the attention of its chairman. Comfortkeepers is a company that the Co-Guardians having been using to supply 24/7 caregiver and nursing staff for the Ward. Mr. Metsch stated in part that, *" The law firm represents Ms. Barbara Stone, the adult daughter of Mrs. Helen R. Stone, as Incapacitated Person, whose guardianship estate is being administered under the above-styled case. On behalf of Ms. Barbara Stone, we have this date filed an emergency supplemental petition to remove the co-guardians of the person and the property of Mrs. Helen R. Stone, an Incapacitated Person, on the grounds of abuse and neglect. Ms. Barbara Stone is concerned that, during December, 2013, your agency sent a person to care for Mrs. Helen R. Stone, an Incapacitated Person, in the Palm Garden facility, Aventura, Florida, who did not possess a Florida health care license. That person was administering oxygen and performing other medical procedures requiring Florida licensure....."*

A TRUE COPY  
CERTIFICATION ON LAST PAGE  
HARVEY RUVIN, CLERK

NOW, THEREFORE, it is ORDERED AND ADJUDGED that Barbara Stone shall appear before this Court on the 19 day of MARCH, 2014, at 11:00 a.m. in Room 308, of the Miami Dade County Courthouse, 73 West Flagler Street, Miami, Florida to be arraigned and then and there show cause why she should not be held in and punished for indirect criminal contempt of Court, pursuant to Fla. R. Crim. P. 3.840, for her willful failure to comply with the terms of the above Order. Such punishment, if imposed, may include a fine and/or or incarceration or probation.

Should the Court determine, based upon the evidence presented at the hearing, that Barbara Stone's conduct warrants sanctions for civil contempt in addition to or instead of indirect criminal contempt, the Court reserves the right to find Barbara Stone guilty of civil contempt and impose appropriate civil sanctions.

You have the right to be represented by an attorney.

FAILURE TO APPEAR AT THE HEARING MAY RESULT IN THE COURT ISSUING A WRIT OF BODILY ATTACHMENT FOR YOUR ARREST. IF YOU ARE ARRESTED, YOU MAY BE HELD IN JAIL UP TO 48 HOURS BEFORE A HEARING IS HELD.

The Sheriff of Miami Dade County, Florida is hereby ordered to serve a copy of this Order on Barbara Stone, and to make a return showing such service.

DONE AND ORDERED in chambers at Miami Dade County, Florida this 11 day of February, 2014.

FEB 11 2014

Copies to: Roy R. Lustig, Esq.  
Barbara Stone, Pro Se  
Mark F. Raymond, Esq.

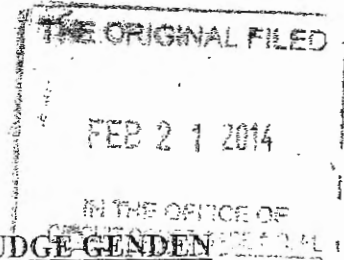
MICHAEL A. GENDEN  
CIRCUIT COURT JUDGE

A TRUE COPY  
CERTIFICATION ON LAST PAGE  
MARTIN DIVIN, CLERK

MICHAEL A. GENDEN

MICHAEL A. GENDEN  
CIRCUIT COURT JUDGE

IN THE CIRCUIT COURT FOR THE 11TH JUDICIAL CIRCUIT  
OF FLORIDA IN AND FOR MIAMI-DADE COUNTY  
PROBATE DIVISION  
CASE NO 12-4330 GD



In re: Guardianship of HELEN STONE

VERIFIED PETITION FOR DISQUALIFICATION OF JUDGE GENDEN

Petitioner Barbara Stone petitions the Court pursuant to Fla. R. Admin. P. 2.330 to disqualify Judge Michael A. Genden because Petitioner has a reasonable fear that she will not receive a fair hearing or fair trial before Judge Genden because of his prejudice against her as set out below.

In the morning of February 11, 2014, the attorney for the guardian appeared before Judge Genden *ex parte* and without notice to Petitioner and, through those *ex parte* contacts, secured the Judge's execution of an order requiring Petitioner to show cause why she should not be held in (quasi-criminal) contempt of Court for certain alleged violations of a prior order of the Judge. There had previously been duly noticed, specially set, and calendared to take place later that same day before Judge Genden a continuation of an ongoing hearing on a petition which Petitioner was then pursuing to remove the guardian. At no time before or even during that specially set hearing was Petitioner advised by Judge Genden, Judge Genden's staff, the attorney for the Guardian, or any other person of that *ex parte* contact or of that *ex parte* order. Indeed, at the beginning of scheduled hearing, Judge Genden caused Petitioner to be removed from his Chambers and held an extended conference with the attorney for the Guardian and Petitioner's attorney, excluding Petitioner in the waiting area outside the Court's Chambers, but at that conference Judge Genden continued to withhold disclosure of that *ex parte* contact and that *ex parte* order. Judge Genden then permitted the hearing to proceed and to permit the attorney for the Guardian to cross-examine Petitioner with regard to the subject matter of the *ex parte* order and of the alleged conduct for which that order cited as a basis for contempt and to elicit testimony from Petitioner in that regard, again without disclosing to Petitioner that *ex parte* contact or that *ex parte* order or the hidden agenda of the attorney for the Guardian in conducting that cross-examination. As proof of the carefully laid nefarious *trap*, in which Judge Genden's aforementioned conduct was integral, Petitioner waited outside the Judge's Chambers in the presence of the attorney for the Guardian for a considerable period of time in advance of the hearing but no copy of that *ex parte* order was supplied to her at that time; only as she was leaving the courthouse at the conclusion of that cross-examination did a process server strategically serve her with a copy of that order.

At the end of the February 11, 2014 hearing, Petitioner's attorney advised her that at the initial stage of the hearing at which the Judge excluded Petitioner from the room, the Judge informed her attorney that the Judge "is not through with Petitioner yet." While it is now clear that the Judge's comment related to the aforementioned pending *ex parte* order to show cause directed against Petitioner, the very fact that the Judge withheld disclosure of that order and of the true import of his statement further leads Petitioner to believe that that disclosure was intentionally withheld until after the conclusion of the cross-examination of Petitioner and of the hearing.

The foregoing course of conduct, *ex parte* contacts, and nefarious, prejudicial entrapment in which Judge Genden's conduct was implicated clearly violated Canon 3(B)(7) of the Florida Code of Judicial Conduct, which provides:



(7) A judge shall accord to every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard according to law. A judge shall not initiate, permit, or consider ex parte communications, or consider other communications made to the judge outside the presence of the parties concerning a pending or impending proceeding except that:

(a) Where circumstances require, ex parte communications for scheduling, administrative purposes, or emergencies that do not deal with substantive matters or issues on the merits are authorized, provided:

(i) the judge reasonably believes that no party will gain a procedural or tactical advantage as a result of the ex parte communication, and

(ii) the judge makes provision promptly to notify all other parties of the substance of the ex parte communication and allows an opportunity to respond.

Applying the above-quoted provisions to the facts set out above,

1. There should first of all have been no ex parte contact. That is because the contact "dealt with substantive matters" -- "issues on the merits." See *Brake v. Murphy*, 693 So.2d 663 (Fla. 3d DCA 1997), *Brake v. Swan*, 767 So.2d 500 (Fla. 3d DCA 2000), and *Rose v. State*, 601 So.2d 1181 (Fla.1992), all treating ex parte contacts as a basis for disqualification.

2. Secondly, it was obvious to Judge Genden when that contact took place and doubly so when the attorney for Guardian was permitted at the ensuing hearing to move forward with his cross-examination of Petitioner without disclosing to her the existence of that ex parte order that as a result of that ex parte contact the attorney for the Guardian would "gain a procedural or tactical advantage as a result of that ex parte communication." Yet Judge Genden did nothing to abort that trap.

3. Third, Judge Genden did not make "provision promptly to notify" Petitioner "of the substance of the ex parte communication."

In construing the foregoing Canon provisions, the Court should adhere to the pronouncements set out in Canon 1, which provides:

An independent and honorable judiciary is indispensable to justice in our society. A judge should participate in establishing, maintaining, and enforcing high standards of conduct, and shall personally observe those standards so that the integrity and independence of the judiciary may be preserved. The provisions of this Code should be construed and applied to further that objective.

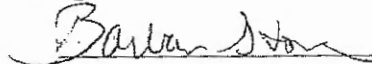
The irony of Judge Genden's aforementioned ex parte contacts is that Petitioner was advised by her counsel that, on a prior occasion, Judge Genden had informed her counsel that, if she attempts to have ex parte contact with the Judge, he threatened to summon the police for the purpose of arresting her and seeking her involuntary commitment under the Baker Act. That threat was in itself further evidence of the Judge's prejudice against her.

The foregoing course of prejudicial conduct was part and parcel of an ongoing hostile courtroom environment, that caused Petitioner to fear not only that she would not receive a fair hearing or trial but also fear of her physical appearance and presence before Judge Genden.

In pertinent part, the comment to Canon 3E provides that "a judge is disqualified whenever the judge's impartiality might reasonably be questioned, regardless of whether any of the specific rules in Section 3E(1) apply."

No prior petition or motion for disqualification has been filed by Petitioner in the case at bar.

Under penalties of perjury, I declare that I have read the foregoing and that the facts stated therein are true and correct to the best of my knowledge and belief.



BARBARA STONE

WHEREFORE, the Petitioner requests the immediate disqualification of Judge Genden.

Dated this 21st day of February, 2014

Respectfully Submitted,



BARBARA STONE

244 Fifth Avenue – B296

New York, NY 10001

Tel.No. 212.994.5481

bstone12@hotmail.com

#### CERTIFICATE OF GOOD FAITH

Barbara Stone does hereby certify that the foregoing Petition and the Petitioner's statements contained therein are made in good faith.



BARBARA STONE

#### CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was emailed to Roy Lustig [roy@rlustig-law.com](mailto:roy@rlustig-law.com) and a true copy thereof was hand delivered to Judge Genden this 21<sup>st</sup> day of February, 2014.



BARBARA STONE

IN THE CIRCUIT COURT OF THE 11TH JUDICIAL  
CIRCUIT IN AND FOR MIAMI-DADE COUNTY,  
FLORIDA  
CIRCUIT PROBATE DIVISION

IN RE: GUARDIANSHIP OF

Case No. 12-4330 GD01

HELEN STONE  
Ward

---

**ORDER DENYING MOTION TO DISQUALIFY**

This matter came before the Court on the Petitioner Barbara Stone's  
Motion to Disqualify and the court having reviewed the motion, said motion be  
and the same is hereby DENIED as being legally insufficient.

DONE AND ORDERED in Miami, Dade County, Florida, this 24<sup>th</sup> day of  
February, 2014.

  
MICHAEL A. GENDEN  
CIRCUIT COURT JUDGE

Barbara Stone  
244 Fifth Avenue B 296  
New York, New York 10001  
Roy Lustig, Esq.  
Suite 710, Courthouse Plaza  
28 W Flagler St  
Miami, Florida 331301806

IN THE CIRCUIT COURT OF THE 11TH  
JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA

IN RE: THE GUARDIANSHIP OF

PROBATE DIVISION

HELEN STONE,

CASE NO. 2012-4330 GD

Ward.

**ORDER AUTHORIZING WITHDRAWAL AS COUNSEL TO  
BARBARA STONE NUNC PRO TUNC TO FEBRUARY 21, 2014**

THIS MATTER came before the Court upon the ex-parte motion (the "Motion") of Andrew Herron and Herron Ortiz (collectively, the "Movant") seeking an Order approving their withdrawal as counsel to interested party Barbara Stone as of February 21, 2014. The Court having reviewed the Motion and the file, being advised that Ms. Stone terminated the Movant as counsel on February 21, 2014, noting that the Movant promptly filed notice thereof with the Court that same day, and noting that Ms. Stone has thereafter acted in this case *pro se*, it is hereby

ORDERED that, to the extent an order of withdrawal is required when counsel is terminated, the Motion is GRANTED in all respects. The withdrawal of Andrew Herron and the law firm of Herron Ortiz as counsel to interested party Barbara Stone is APPROVED as of February 21, 2014, and they are relieved of any responsibilities and obligations in connection with the representation of Barbara Stone as of that date.

Done and Ordered in chambers in Miami-Dade County on this \_\_\_ day of March, 2014

Copies to: Andrew R. Herron (aherron@herronortiz.com)  
Roy Lustig, Esq. (roy@rlustig-law.com)  
Mark F. Raymond, Esq. (mraymond@broadandcassel.com)  
Barbara Stone (BStone12@hotmail.com)

Circuit Court Judge  
Conformed Copy

MAR 17 2014

Michael A. Genden  
Circuit Judge

FILED  
2014 MAR 24 AM 9:54  
CLERK OF COURT  
JAMES M. WATSON, CLERK

IN THE CIRCUIT COURT OF THE 11<sup>TH</sup>  
JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA

PROBATE DIVISION

CASE NUMBER: 12-4330GD 01

IN RE: GUARDIANSHIP OF

HELEN STONE  
Ward

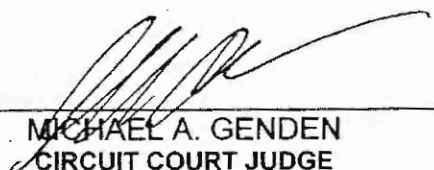
**ORDER DENYING MOTION FOR LEAVE TO FILE AMENDED MOTION  
TO DISQUALIFY TRIAL JUDGE**

THIS CAUSE having come on to be heard upon Petitioner Barbara Stone's Motion for Leave to File Amended Motion to Disqualify Trial Judge, and being otherwise advised in the premises; it is

ORDERED AND ADJUDGED that Barbara Stone's Motion for Leave to File Amended Motion to Disqualified Trial Judge is hereby DENIED.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida, on this 20<sup>th</sup> day of March, 2014.

MAR 20 2014

  
MICHAEL A. GENDEN  
CIRCUIT COURT JUDGE

Copies furnished to:  
Roy Lustig, Esq.  
Suite 710, Courthouse Plaza  
28 W Flagler St  
Miami, Florida 331301806  
Jeffrey Weinkle, Esq.  
19 W Flagler St Ste 407  
Miami, Florida 331304404  
Mark Raymond, Esq.  
Broad and Cassel  
2 S Biscayne Blvd Ste 2100  
Miami, Florida 331311811

MICHAEL A. GENDEN  
CIRCUIT COURT JUDGE

1 authority to protect Wards from entering and enforcing  
2 my own orders.

3 MR. WEINKLE: And I am not suggesting otherwise.  
4 What I am suggesting to Your Honor is that the proper  
5 method of doing it would be entry of a temporary  
6 injunction and then within 15 days conduct a hearing to  
7 determine whether it should be permanent.

8 THE COURT: Nobody is asking me for a permanent.

9 MR. WEINKLE: Then it expires.

10 THE COURT: Not under the Civil Rules of  
11 Procedure.

12 MR. WEINKLE: But the Civil Rule of Procedure  
13 1.160 does not apply in this circumstance.

14 THE COURT: Neither does --

15 MR. WEINKLE: It applies to injunctions other than  
16 violence.

17 THE COURT: I am saying right now for your sake,  
18 that I don't care what Mr. Lustig put on this, I'm  
19 clearing it up. I do not believe that I was entering  
20 an injunction -- and I'll make it clear -- against  
21 violence. I don't believe that Barbara Stone was  
22 violent to her mother. Was injuring her. Was hitting  
23 her. Was pulling her hair or any other definition of  
24 violence. I want to make it clear. I was enforcing my  
25 own order because she was being disruptive to the

1 people who were caring for her mother. I allowed her  
2 to do it. She violated it by taking her mother out.

3 Which I believe is -- was prosecutable, but I am  
4 not a prosecuting attorney. I am not, that's up to  
5 them. They're tasked with deciding what to do, and if  
6 you will notice, I did not have, which I could have  
7 done, I did not have a rule to show cause for me to  
8 hold her in contempt for violating my order.

9 Then, subsequent to that, she went back to the  
10 hospital some months later. I think it was -- did you  
11 say it was in June?

12 MR. LUSTIG: I don't know exactly.

13 THE COURT: She went back two days in a row and  
14 not only did she violate my order again, she was  
15 escorted up to the -- to her mother's floor two days in  
16 a row. Clearly knowing she had no right to do so. She  
17 knew it. Now he is here saying we want the police to  
18 know that that's what I want and that's what I am going  
19 to do.

20 MS. STONE: Can I speak?

21 MR. WEINKLE: No.

22 MS. STONE: Yes, it's important.

23 MR. WEINKLE: Please. No.

24 MS. STONE: Yes, I'm sorry. It's important that I  
25 say what I want to say. Please.

FILED FOR PROBATE  
2014 APR -2 AM 11:54  
MIAMI CIRCUIT COURT CLERK  
1000 BAYVIEW BLVD SUITE 1000  
MIAMI FL 33133

IN THE CIRCUIT COURT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA.

IN RE: GUARDIANSHIP OF  
HELEN STONE,  
the Ward

PROBATE DIVISION  
CASE NO.: 12-4330 GD 01

**ORDER CANCELLING ORDER TO SHOW CAUSE HEARING**

THIS CAUSE, having come before this Court on March 31, 2014, upon the Co-Guardians Voluntary Dismissal of the Motion for an Order to Show Cause and the Court having reviewed the pleadings and being fully advised in the premises, it is

ORDERED and ADJUDGED that the Order to Show Cause Hearing re-set for April 4, 2014, at 1:45 p.m., is hereby cancelled.

DONE AND ORDERED in chambers at Miami Dade County, Florida this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

APR 01 2014

MICHAEL A. GENDEN  
CIRCUIT COURT JUDGE

Copies to: *Roy R. Lustig, Esq.*  
*Jeffrey D. Weinkle, Esq.*  
*Mark F. Raymond, Esq.*

MICHAEL A. GENDEN  
CIRCUIT COURT JUDGE

FILED FOR PROBATE  
2014 APR -2 AM 10:30  
MIAMI CIRCUIT COURT CLERK  
1000 BAYVIEW BLVD SUITE 1000  
MIAMI FL 33133



IN THE CIRCUIT COURT OF THE 11TH JUDICIAL CIRCUIT, IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA

PROBATE DIVISION  
JUDGE MICHAEL A. GENDEN

IN RE: GUARDIANSHIP OF

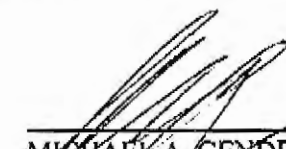
File No. 12-4330GD01

HELEN STONE,  
\_\_\_\_\_

**ORDER DISCHARGING ORDER TO SHOW CAUSE**

There having been entered an Order, dated April 1, 2014, cancelling the April 4, 2014 hearing on the Order to Show Cause, it is Ordered and Adjudged that the Order to Show Cause, dated February 11, 2014, is hereby discharged.

DONE AND ORDERED in Chambers at Miami, Miami-Dade County, Florida this APR 03 2014  
day of April, 2014.

  
\_\_\_\_\_  
MICHAEL A. GENDEN  
CIRCUIT COURT JUDGE

Copies to:

- Jeffrey D. Weinkle, Esq.
- Roy R. Lustig, Esq.
- Mark F. Raymond, Esq.

**MICHAEL A. GENDEN**  
**CIRCUIT COURT JUDGE**

FILED 2014 AUG -4 AM 11:30  
CLERK OF COUNTY COURTS  
MIAMI-DADE COUNTY, FLA.  
CIVIL #169

IN THE CIRCUIT COURT OF THE 11TH  
JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA

IN RE: GUARDIANSHIP OF

HELEN STONE,  
Ward

PROBATE DIVISION: GD 01

CASE NO.: 2012-4330

**ORDER GRANTING ORE TENUS MOTION AUTHORIZING PAYMENT FOR EXPERT WITNESS**

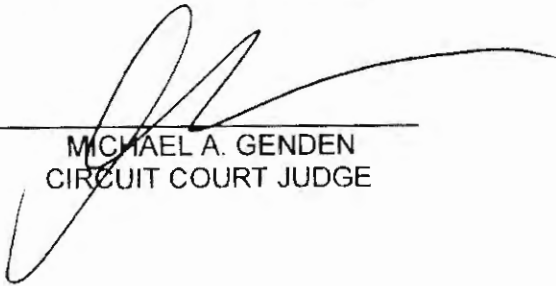
THIS CAUSE, having come before this Court on March 28, 2014, at the time of the hearing on the Petition for Attorney Fees and Costs and upon the Ore Tenus Motion for an Order Authorizing Payment for the Expert Witness, attorney, J. Eric Virgil for his review of the case, pleadings, meeting with petitioner and giving Testimony at time of the hearing, and the Court having taken the testimony of the expert witness and the Court being fully advised in the premises; it is

ORDERED and ADJUDGED as follows:

1. The Ore Tenus Motion for an Order Authorizing Payment for Expert Witness Testimony is hereby granted.
2. The Guardian of the Property, Blaire Lapides is hereby authorized to issue payment to J. Eric Virgil, Esq, in the amount of \$ ~~2000~~ <sup>2900</sup> ~~1100~~ <sup>1100</sup> as a fee for an expert witness expending 3 hours. Said payment shall be forwarded to J. Eric Virgil, Esq at 328 Minorca Ave, Coral Gables, FL 33134.

AUG 04 2014

DONE AND ORDERED in Chambers at Miami-Dade County, Florida on this \_\_\_\_ day of \_\_\_\_\_, 2014.

  
MICHAEL A. GENDEN  
CIRCUIT COURT JUDGE

Copies to:  
Roy R. Lustig, Esq.  
Barbara Stone  
Mark F. Raymond, Esq.  
J. Eric Virgil, Esq.

IN THE CIRCUIT COURT FOR MIAMI-DADE COUNTY,  
FLORIDA PROBATE DIVISION

IN RE: GUARDIANSHIP OF

HELEN STONE

File No. 2012-4330 GD 01  
Division Probate

FILED PROBATE DIV.  
2014 AUG -4 AM 11:30  
MIAMI-DADE COUNTY COURTS  
DADE COUNTY FLA.  
CIVIL #169

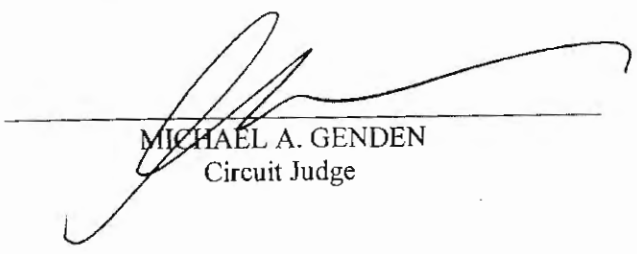
ORDER AUTHORIZING PAYMENT  
OF FEE AND EXPENSES OF ATTORNEY  
(Restricted depository)

On the petition of Roy R. Lustig, Esq., for an order authorizing payment of attorney's fee for services rendered and expenses incurred for the benefit of Helen Stone (the Ward), the court having examined the file in this proceeding and having considered the evidence presented regarding the criteria established by Section 744.108(2), Florida Guardianship Law, and finding that the material allegations of the petition are true, and being otherwise fully advised, it is

ADJUDGED as follows:

1. The attorney's hourly rate and the number of hours expended, as set forth in the petition, are reasonable and the sum of \$36,161.50 is a reasonable fee for the services of Roy R. Lustig, Esq. for the period from February 25, 2014, through June 27, 2014.
2. The attorney is entitled to reimbursement for expenses in the amount of \$1,021.15.
3. The guardian of the property of the Ward is authorized and directed to pay that fee and those expenses from the assets of the Ward, for a total of: \$37,182.65, from the restricted account number XXX3017 at Gibraltar Bank.

ORDERED on 8/4/14

  
MICHAEL A. GENDEN  
Circuit Judge

Copies furnished to all parties.

IN THE CIRCUIT COURT OF THE 11TH  
JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA

IN RE: GUARDIANSHIP OF

HELEN STONE,  
Ward

---

PROBATE DIVISION: GD 01

CASE NO.: 2012-4330

**Order Granting Co-Guardians Petition for an Order Directing the Sheriff of Miami Dade County, Florida/Metro Dade Police Department to Enter this Court's Emergency Order For Contempt and Temporary Injunction Against Violence From Barbara Stone, Dated December 20, 2013, into the FCIC/NCIC Data Banks**

THIS CAUSE, having come before this Court on September 10, 2014, upon the Co-Guardians Petition for an Order Directing the Sherriff of Miami-Dade County, Florida/Metro Dade Police Department to Enter this Court's Emergency Order for Contempt and Temporary Injunction Against Violence from Barbara Stone, dated December 20, 2013, into the FCIC/NCIC Data Banks and after having heard argument of counsel and the Court being fully advised in the premises; it is

ORDERED and ADJUDGED as follows:

1. The Co-Guardians Petition for an Order Directing the Sherriff of Miami-Dade County, Florida/Metro Dade Police Department to Enter this Court's Emergency Order for Contempt and Temporary Injunction Against Violence from Barbara Stone, dated December 20, 2013, into the FCIC/NCIC Data Banks, is hereby granted.
2. The Sherriff of Miami Dade-County, Florida/Metro Dade Police Department, Central Records Dept, is hereby ordered to immediately enter into the FCIC/NCIC Data Banks this Court's Emergency Order For Contempt and Temporary Injunction Against Violence From Barbara Stone, dated December 20, 2013, of which a certified copy is attached.

3. Counsel for the Co-Guardians, Roy R. Lustig, is hereby Ordered to deliver a certified copy of this Order and the December 20, 2013, Order to the Central Records Dept of the Sheriff of Miami Dade County, Florida/Metro Dade Police Department located at 9105 NW 25<sup>th</sup> Street, Doral, Florida 33172, for its entry into the FCIC/NCIC Data Banks.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida on this \_\_\_\_ day  
of \_\_\_\_\_, 2014.

---

MICHAEL A. GENDEN  
CIRCUIT COURT JUDGE

Copies to:  
*Roy R. Lustig, Esq.*  
*Jeffrey D. Weinkle, Esq.*  
*Barbara Stone, Pro Se.*  
*Mark F. Raymond, Esq.*

Conformed Copy

SEP 12 2014

Michael A. Genden  
Circuit Judge

IN THE CIRCUIT COURT OF THE 11<sup>TH</sup>  
JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA

PROBATE DIVISION

CASE NUMBER: 12-4330GD 01

IN RE: GUARDIANSHIP OF

HELEN STONE  
Ward

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2014 OCT 24 PM 4:05  
CLERK, CIRCUIT & COUNTY COURTS  
DADE COUNTY, FLA.  
CIVIL #108

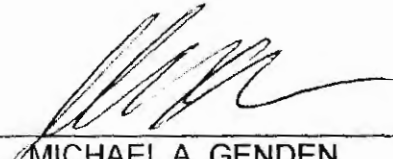
ORDER DENYING PETITION FOR JURY TRIAL

THIS CAUSE having come on upon Petitioner, Barbara Stone's Petition for Jury Trial, and being otherwise advised in the premises; it is

ORDERED AND ADJUDGED that:

1. Barbara Stone's Petition for Jury Trial is hereby denied.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida, on this 24<sup>th</sup> day of October, 2014.



MICHAEL A. GENDEN  
CIRCUIT COURT JUDGE

Copies furnished to:  
Roy Lustig, Esq.  
Suite 710, Courthouse Plaza  
28 W Flagler St  
Miami, Florida 331301806  
Barbara Stone, Esq.  
244 5<sup>th</sup> Avenue B296  
New York, New York 10001  
David Pollack, Esq.  
540 Brickell Key Dr Ste C1  
Miami, FL 33131-2635

IN THE CIRCUIT COURT OF THE 11<sup>TH</sup>  
JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA

PROBATE DIVISION

CASE NUMBER: 12-4330 GD 01

IN RE: GUARDIANSHIP OF  
HELEN STONE

CLERK, CIRCUIT & COUNTY CLERK,  
MIAMI-DADE COUNTY, FLORIDA 01

20 NOV -7 PM 4:21

FILED FOR RECORD

ORDER

**THIS CAUSE** having come on to be heard upon Barbara Stone's Petition for mediation, it is thereupon

**ORDERED AND ADJUDGED** that said Motion/Petition be, and the same is, hereby Denied. However, the Lawyer for the Guardians, Roy Lustig is ordered to communicate with the Guardians for the purpose of finding out if the ward is interested in having any contact with Barbara Stone. The Guardians shall advise the Court in writing of their findings.

**DONE AND ORDERED** in Chambers at Miami-Dade County, Florida, on this 6<sup>th</sup> day of November, 2014.

NOV 06 2014

  
MICHAEL A. GENDEN  
CIRCUIT COURT JUDGE

Copies furnished to:  
Barbara Stone  
Roy Lustig  
Guardians

MICHAEL A. GENDEN  
CIRCUIT COURT JUDGE

IN THE CIRCUIT COURT FOR MIAMI-DADE COUNTY,  
FLORIDA PROBATE DIVISION

IN RE: GUARDIANSHIP OF

HELEN STONE

File No. 2012-4330 GD

Division 01

FILED FOR RECORDED  
2014 DEC 19 AM 11:46  
MIAMI-DADE COUNTY COURTS  
CLERK OF COURTS  
CIVIL # 159

ORDER AUTHORIZING PAYMENT  
OF COMPENSATION AND EXPENSES OF CO-GUARDIAN  
FROM RESTRICTED ACCOUNT

On the petition of Jacqueline Hertz, as co-guardian of the person of Helen Stone, the Ward, for an order authorizing payment of compensation for services rendered and expenses incurred, the court having examined the file in this proceeding and having considered the evidence presented regarding the criteria established by Section 744.108(2), Florida Guardianship Law, and finding that the material allegations of the petition are true, and being otherwise fully advised, it is

ADJUDGED as follows:

1. The sum of \$ 46,030.78, is reasonable compensation for the services of Jacqueline Hertz for the period from February 6, 2013 through December 31, 2013.
2. The guardian is entitled to reimbursement for expenses in the amount of: \$ 1,666.26.
3. The guardian of the property of the Ward is authorized and directed to pay from the restricted account that compensation and those expenses from the assets of the Ward in the total amount of \$47,697.04 to Jacqueline Hertz.

ORDERED on

DEC 19 2014

DEC 19 2014

Michael A. Genden  
Circuit Judge

MICHAEL A. GENDEN  
CIRCUIT COURT JUDGE



IN THE CIRCUIT COURT OF THE 11<sup>TH</sup> JUDICIAL  
CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA

PROBATE DIVISION

CASE NUMBER: 12-4330 GD 01

IN RE: GUARDIANSHIP OF

HELEN STONE  
Ward

ORDER PROHIBITING BARBARA STONE FROM FILING ANYMORE PLEADINGS,  
MOTIONS AND OBJECTIONS IN THIS COURT

THIS COURT, on its own motion, is entering an order prohibiting Barbara Stone from filing anymore pleadings, motions and objections, and the grounds are as follows:

ORDERED AND ADJUDGED that:

1. Barbara Stone is the daughter of Helen Stone, a ward under the above case number 12-4330GD01.
2. She has filed numerous frivolous pleadings including motions, objections, civil law suits and appeals in federal court in front of Judge Kathie Williams and Judge Robert Scola, the 11<sup>th</sup> Circuit Court of Appeals in Atlanta, Ga and the Third District Court of Appeals, not to mention many pleadings in the Dade County Circuit Court.
3. She has filed several motions to recuse numerous judges that she has appeared in front of including the undersigned judge, and judges in the criminal division of the Dade County Circuit Court where she is the defendant for removing her mother from a health care facility in contravention of this Court's order.
4. All of her legal efforts have been denied or dismissed by every court that she has petitioned.
5. It is time to put an end to Ms Stone's outrageous use of judicial time and efforts.

Case No. 12-4330GD01 – Helen Stone

THEREFORE, IT IS ORDERED AND ADJUDGED that Barbara Stone is prohibited from filing any pleadings in this Court unless it is filed by a member in good standing with the Florida Bar and the Judge's staff is instructed to not allow Ms. Stone individually to set anymore matters in this Court.

**DONE AND ORDERED** in Chambers at Miami-Dade County, Florida, on this 6<sup>th</sup> day of January, 2015.

  
MICHAEL A. GENDEN  
CIRCUIT COURT JUDGE

Copies furnished to:  
Roy Lustig, Esq.  
Suite 710, Courthouse Plaza  
28 W Flagler St  
Miami, Florida 331301806  
Barbara Stone, Esq.  
244 5<sup>th</sup> Avenue B296  
New York, New York 10001  
Judge Celeste Muir  
Judge Maria Korvick  
Judge Bernard Shapiro

CLERK OF COURT  
JAN 6 2015  
MICHAEL A. GENDEN  
CIRCUIT JUDGE

2015 APR 14 08:11:49

IN THE CIRCUIT COURT OF THE 11<sup>TH</sup>  
JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA

PROBATE DIVISION

CASE NUMBER: 12-4330 GD 01

IN RE: GUARDIANSHIP OF  
HELEN STONE

ORDER APPOINTING SPECIAL PROCESS SERVER

THIS CAUSE having come on to be heard on the Petition to Appoint a Special Process Server for this case, and the Court having heard argument of counsel, and being otherwise advised in the premises; it is

ORDERED AND ADJUDGED that said Petition be, and the same is hereby GRANTED. Jorge Estarellas, with Process Server ID Number 1294, is hereby appointed as Special Process Server in this Case.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida, on this 14<sup>th</sup> day of April, 2015.

  
MICHAEL A. GENDEN  
- CIRCUIT COURT JUDGE

STATE OF FLORIDA, COUNTY OF MIAMI-DADE  
I HEREBY CERTIFY that the foregoing is a true and correct copy of the original on file in this office. APR 14 2015 AD 23  
MARVEY REIDMAN, CLERK of the said County Courts  
Deputy Clerk



  
CAROLINA BENITEZ

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT  
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

RULE TO SHOW CAUSE

PROBATE DIVISION

IN RE: GUARDIANSHIP OF  
HELEN STONE

CASE NO. 12-4330 GD01

TO: BARBARA STONE  
244 5<sup>TH</sup> AVENUE B296  
NEW YORK, NEW YORK 10001  
Barbara Stone  
101 N. Ocean Drive 752  
Hollywood, Florida 33019

*Posted*  
*4/31 PM*  
*4/23/15*  
*1294*  
*[Signature]*  
APR 23 9 11:07 AM '15  
CLERK OF COURT  
MAY 11 11:07 AM '15

THIS CAUSE, having come on to be heard on the Petitions filed on April 6, 2015 by Barbara Stone in complete disregard of my Order Prohibiting Barbara Stone from Filing Anymore Pleadings, Motions and Objections in this Court and this Court being fully advised, it is **ORDERED** that you, BARBARA STONE are hereby commanded to appear before the undersigned Judge at: 701 NW 1<sup>st</sup> Court, 8<sup>th</sup> Floor, #811, Miami-Dade County, Florida, on the 4<sup>th</sup> day of May, 2015, at 11:30 a.m. on said date and at the time show cause, if any, why you should not be adjudged in contempt and punished by assessment of attorneys' fees, costs, fine and/or jail for your failure to comply with my Order Prohibiting Barbara Stone from Filing Anymore Pleadings, Motions and Objections in this Court unless it is filed by a member in good standing with the Florida Bar signed on January 6, 2015.

DONE AND ORDERED in Chambers in Miami, Miami Dade County, Florida, this 7<sup>th</sup> day of April, 2015.

*[Signature]*  
MICHAEL A. GENDEN  
CIRCUIT COURT JUDGE

Roy Lustig, Esq.  
Suite 710, Courthouse Plaza  
28 W Flagler St  
Miami, Florida 331301806

STATE OF FLORIDA, COUNTY OF MIAMI-DADE  
CLERK OF COURT  
MORRIS BLUM, CLERK OF COURT  
CLERK OF COURT

*[Signature]*  
APR 23 2015



2015 APR -9 AM 11:07

IN RE: GUARDIANSHIP OF  
HELEN STONE,  
the Ward

IN THE CIRCUIT COURT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA.

PROBATE DIVISION  
CASE NO.: 12-4330 GD 01

ORDER TO SHOW CAUSE

UPON CONSIDERATION of the Co-Guardian Blaire Lapidés's Motion for the Issuance of an Order to Show Cause with the Affidavits of Marie Escarment and Blaire Lapidés being sworn to and filed with the Court in this cause on March 2, 2015, and upon review of this Court's Emergency Order for Contempt and Temporary Injunction Against Violence from Barbara Stone, dated December 20, 2013 ("Order"), this Court finds:

That the attached Order dated December 20, 2013, enjoined Barbara Stone from performing any of the following acts:

*Paragraph 3 "No Contact. Unless otherwise provided herein, Barbara Stone shall have no contact with the Ward, Helen Stone or the Co-Guardians Blaire Lapidés and Jacqueline Hertz or any persons treating and/or caring for the Ward, Helen Stone. Barbara Stone shall not directly or indirectly contact Helen Stone, Blaire Lapidés, Jacqueline Hertz or any persons treating and/or caring for Helen Stone in person, by mail, e-mail, fax, telephone, through another person, or in any other manner. Unless otherwise provided herein, Barbara Stone shall not go to, in, or within 1000 feet of: Helen Stone's permanent residence, current residence, or current placement or residence to which Helen Stone may move; Blaire Lapidés's' permanent residence, current residence, or residence to which Blaire Lapidés may move or employment; or Jacqueline Hertz's permanent residence, current residence, or residence to which Jacqueline Hertz may move or employment"*

The Co-Guardian has petitioned this Court for an Order adjudging Barbara Stone to be in Indirect Criminal Contempt of Court for the willful disregard and disobedience of the provisions of this Court's Order of December 20, 2013, by engaging in the following acts of conduct:

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MIAMI-DADE COUNTY, FLORIDA

- a. Barbara Stone using Joanne Denison, under the pretense of being Alex Talbot, the daughter of Elza Talbot her mother's recently deceased friend, to contact her mother, Helen Stone, by entering the facility where the Ward, Helen Stone resides and by further trying to enter her room;
- b. By continuing to make contact with the persons treating and/or caring for Helen Stone in person, by fax, telephone and through other persons.

NOW, THEREFORE, it is ORDERED AND ADJUDGED that Barbara Stone shall appear before this Court on the 4<sup>th</sup> day of May, 2015, at 11:30A on the 8<sup>th</sup> Floor, of the Overtown Transit Village, North Tower, 701 NW 1<sup>st</sup> Court, Miami, Florida 33136, to be arraigned and then and there show cause why she should not be held in and punished for indirect criminal contempt of Court, pursuant to Fla. R. Crim. P. 3.840, for her willful failure to comply with the terms of the above Order dated December 20, 2013. Such punishment, if imposed, may include a fine and/or or incarceration or probation.

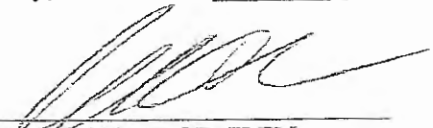
Should the Court determine, based upon the evidence presented at the hearing, that Barbara Stone's conduct warrants sanctions for civil contempt in addition to or instead of indirect criminal contempt, the Court reserves the right to find Barbara Stone guilty of civil contempt and impose appropriate civil sanctions.

You have the right to be represented by an attorney.

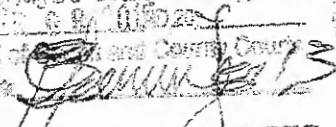
FAILURE TO APPEAR AT THE HEARING MAY RESULT IN THE COURT ISSUING A WRIT OF BODILY ATTACHMENT FOR YOUR ARREST. IF YOU ARE ARRESTED, YOU MAY BE HELD IN JAIL UP TO 48 HOURS BEFORE A HEARING IS HELD.


The Sheriff of Miami Dade County, Florida is hereby ordered to serve a copy of this Order to Show Cause on Barbara Stone, and to make a return showing such service.

DONE AND ORDERED in chambers at Miami Dade County, Florida this 9 day  
of April, 2015.

  
MICHAEL A. GENDEN  
CIRCUIT COURT JUDGE

Copies to: *Roy R. Lustig, Esq.*  
*Barbara Stone, Pro Se*  
*Mark F. Raymond, Esq.*

STATE OF FLORIDA, COUNTY OF MIAMI-DADE  
I HEREBY CERTIFY to be a true and correct copy of the  
original on file in this office. APR 9 2015  
MARIBETH BLANK, CLERK of the Court and County Clerk  
Deputy Clerk   
CAROLINA GENITEZ



IN THE CIRCUIT COURT OF THE  
ELEVENTH JUDICIAL CIRCUIT IN AND  
FOR MIAMI-DADE COUNTY, FLORIDA

PROBATE DIVISION  
CASE NO.: 12-4330 GD 01

IN RE: GUARDIANSHIP OF  
HELEN STONE,

Ward,

**ORDER DENYING PETITIONER'S (BARBARA STONE) MOTION FOR  
DISQUALIFICATION OF JUDGE MICHAEL GENDEN**

**THIS CAUSE** came before the Court on April 25, 2015 on Petitioner's (Barbara Stone) Motion for Disqualification of Judge Michael Genden, and the Court, having reviewed said Motion, and being otherwise fully advised in the premises, hereby **DENIES** the Motion as being legally insufficient.

**DONE and ORDERED** in Chambers at Miami-Dade County, Florida on May 14, 2015.

Conformed Copy MAY 14 2015

MAY 14 2015

Michael A. Genden  
Circuit Judge

MICHAEL A. GENDEN  
Circuit Court Judge

MICHAEL A. GENDEN  
CIRCUIT COURT JUDGE

COPIES FURNISHED TO ALL PARTIES AND COUNSEL OF RECORD



Ward,

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**ORDER ISSUING WRIT OF BODILY ATTACHMENT**  
**FOR MS. BARBARA STONE**

On January 6, 2015, this Court issued an Order prohibiting Barbara Stone, daughter of Helen Stone, a ward under the above case number, from filing any pleadings in this Court unless filed by a member of the Florida Bar, in good standing. However, the record reflects that Ms. Stone has continued to file frivolous motions before this Court in complete disregard of said Order.<sup>1</sup> For instance:

- On January 16, 2015, Ms. Stone filed a “Motion to Dismiss Verified Motion to Show Cause;”
- On February 23, 2015, Ms. Stone filed an “Emergency Motion to Transfer Case;”
- On April 2, 2015, Ms. Stone filed an “Emergency Petition to File Petition,” and an “Emergency Petition to Transfer Judge to a Visting [sic] Judge and for Petitioner to See Her Mother;” and
- On April 6, 2015, Ms. Stone filed an “Emergency Petition for Order Transferring Judge and to See Petitioner’s Mother.”

The above motions led this Court to issue a “Rule to Show Cause” order on April 7, 2015 (“Show Cause Order”). The Show Cause Order instructed Ms. Stone to personally appear in this Court on May 4, 2015 at 11:30 a.m., and show cause why she “should not be adjudged in contempt and punished by assessment of attorneys’ fees, costs, fines and/or jail for [her] failure to comply” with the January 6, 2015 Order. Ms. Stone, however, continued to file motions such as the “Verified Sworn Emergency Petition and Affidavit for Immediate Disqualification of Judge Michael Genden” filed on April 25, 2015, which contained over 300 pages of exhibits.

At the May 4, 2015, hearing, Ms. Stone failed to physically appear in court because she claimed (via telephone) to be before a federal judge, whom she refused to name when asked by the

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<sup>1</sup> Ms. Stone’s frivolous filings have not been limited to this Court or the Eleventh Judicial Circuit. She has filed numerous pleadings before the Third District Court of Appeal, the Seventeenth Judicial Circuit, and in federal court. She also filed a Petition for Injunction for Protection Against Stalking Violence in the Domestic Violence Division of this Circuit against this Court on May 1, 2015. Collectively, these filings show a pattern of behavior on Ms. Stone’s part that displays a conscious disregard for the judicial process and the parties to this case. More specifically, her motions strain the guardianship’s financial health as well as that of the parties.

Therefore, **ALL AND SINGULAR SHERIFFS AND OTHER AUTHORIZED LAW ENFORCEMENT PERSONNEL OF THE STATE OF FLORIDA** are hereby **ORDERED** to take **BARBARA STONE** into custody and confine her in the county jail. The individual failed to appear at a properly noticed hearing before the court as ordered, and, as detailed hereinabove, failed to comply with the previous order of the court, issued on January 6, 2015, which is incorporated herein.

Service of this writ may be made on any day of the week and any time of the night or day, including Sunday and holidays.

**YOU ARE FURTHER DIRECTED** to bring this person before the Court within forty-eight (48) hours of execution of this writ for a contempt of court hearing.

**NOTICE OF EXECUTION OF THIS WRIT SHALL IMMEDIATELY BE GIVEN TO THE COURT.**

**THIS ORDER SUPERSEDES ANY PRIOR CONFLICTING ORDERS.**

**DONE and ORDERED** in Chambers at Miami-Dade County, Florida on May 6, 2015.

  
MICHAEL A. GENDEN  
Circuit Court Judge

CC: All parties and counsel of record

<sup>2</sup> The aforementioned recent filings provide additional evidence of her awareness of her May 4, 2015 hearing. For instance, the transcript of her Broward County hearing on April 21, 2015 captures Ms. Stone saying that she will not attend this Court's show cause hearing. Similarly, on May 4, 2015, Federal District Judge Joan Lenard denied Ms. Stone's motion to enjoin the instant Court's show cause hearing.