

IN THE CIRCUIT COURT OF THE 15TH

JUDICIAL CIRCUIT IN AND FOR PALM
BEACH COUNTY, FLORIDA

CASE NO: 2012CA011639XXXXMB
CIRCUIT CIVIL DIVISION AE

DAVID GARTEN, ESQ

Plaintiff,

V

SKENDER HOTI,

Defendant,

**DEFENDANT SKENDER HOTI'S OBJECTIONS TO PROPOSED ORDER
SUBMITTED BY ATTORNEY'S FOR DAVID GARTEN ON SKENDER HOTI'S
MOTION FOR DISMISSAL OR STAY-CONTINUANCE:**

COMES NOW SKENDER HOTI Pro Se who makes and files these Objections to the Plaintiff's Proposed Order on Skender Hoti's Motion for Dismissal and alternatively a Stay and Continuance, who respectfully says and shows this Court.

1. I am the Defendant Pro Se.
2. I make these Objections to the Proposed Order by submitted by Plaintiff's Attorneys.
3. I promptly responded to the Proposed Order submitted by David Garten's attorneys as follows: From: Skender Hoti [mailto:skendertravel@gmail.com]

Sent: Wednesday, April 05, 2017 2:46 PM

To: Beau Ugarte; Kelly M. Vogt; Deborah P. FitzGerald

Cc: Slender Hoti; Skender Hoti

Subject: Skender Hoti Objections to Proposed Order 4.5.17 Re: Proposed Order, 4/12/17

Hearing - In re: Hoti v. Garten

Wednesday April 5, 2017

Beau Ugarte

rugarte@WaltonLantaff.com

Re: Skender Hoti's Objections to Proposed Order submitted by David Garten's

Attorneys

Case No. 2012CA011639-XXXX-MB

I, Skender Hoti, Object to the Proposed Order as drafted.

The Proposed Order Submitted should have specific sections for the Judge to make Specific Findings of Fact and Written Opinion on the law on the following:

1. The Court makes the following Findings of Fact on Mr. Hoti's factually detailed Motion to Dismiss the application for Attorney's Fees on Appeal:

_____;

2. The Court makes the following conclusions of law and written opinion on Mr. Hoti's factually detailed Motion to Dismiss the application for Attorney's Fees on Appeal:

_____;

3. The Court makes the following Findings of Fact on Mr. Hoti's factually detailed motion for a Stay and Continuance:

_____;

4. The Court makes the following conclusions of law and written opinion on Mr. Hoti's factually detailed motion for a Stay and Continuance:

_____;

Please confirm that your office will be incorporating these changes into the Proposed Order and filing this with the Court or if I must file this with the Court instead.

Thank you.

Skender Hoti

April 5, 2017

cc: Deborah P. FitzGerald, DFitzgerald@WaltonLantaff.com, Kelly M. Vogt,

KVOGT@WaltonLantaff.com;

4. Plaintiff David Garten's Attorneys responded as follows: From: "Kelly M. Vogt"

<KVOGT@WaltonLantaff.com>

Date: April 5, 2017 at 3:23:54 PM EDT

To: Skender Hoti <skendertravel@gmail.com>, Beau Ugarte

<rugarte@WaltonLantaff.com>, "Deborah P. FitzGerald"

<DFitzgerald@WaltonLantaff.com>

Cc: Slender Hoti <skendertravel@hotmail.com>

Subject: RE: Skender Hoti Objections to Proposed Order 4.5.17 Re: Proposed Order,

4/12/17 Hearing - In re: Hoti v. Garten

Mr. Hoti,

We propose the attached order but we will not agree to the requests you made in your email. The Court already ruled on this orally at the hearing held on February 17, 2017.

You will have to bring it up to the judge at the hearing on April 12, 2017.

Kelly M. Vogt

Partner

Walton Lantaff Schroeder & Carson LLP

Attorneys at Law

110 East Broward Blvd, Suite 2000 | Fort Lauderdale Florida 33301

Office: (954) 463-8456 | Fax: (954) 763-6294

kvogt@WaltonLantaff.com | Website | Biography

WLSC: This message contains confidential information and is intended only for the

individual(s) addressed in the message. If you are not the named addressee, you should not disseminate, distribute, or copy this e-mail. If you are not the intended recipient, you are notified that disclosing, distributing, or copying this e-mail is strictly prohibited.

5. The Court should have performed a proper, comprehensive and full fact finding on my detailed motion and full analysis and application of the law.
6. The Court should be able to Enter such detailed Factual Findings and detailed legal analysis and Opinion into the Order, otherwise the Court should be Vacating any Oral Decision, granting the Stay and Continuance and opening up proceedings accordingly.
7. As Defendant I have submitted a proposed Alternate Order to be filed with this Court as well.
8. All such Fees are objected to in general as part of a fraudulent billing scheme that began with Attorney David Garten.
9. Such fees on Appeal were unnecessary and unearned and Plaintiff and Plaintiff's lawyers were asked to cease and desist in these matters of generating fees as part of such scheme as unnecessary.
10. Defendant Objects and submits this Court at minimum should Stay all fee matters pending Discovery and a full evidentiary hearing on Defendant's motion filed with this Court on Feb. 17, 2017 as any fees owed to David Garten should have been limited to *\$6,413.35 at most with all appeal fees denied.*
11. That there is no substantial and competent evidence for the underlying Judgments which are void and should be voided included all fees on appeal.
12. Defendant reserves all rights to seek relief as the law and justice requires.

Respectfully submitted,

Dated: April 6th, 2017

/s/ Skender Hoti
Skender Hoti
3103 Drew Way
Palm Springs, Florida 33406
Telephone: (561) 385-6390
skendertravel@hotmail.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been served via Electronic mail to Walton Lantaff Schroeder & Carson LLP 110 E. Broward Blvd. Suite 2000 Fort Lauderdale, Fl 33301-3503 on this 6th day of April, 2017 at the following addresses:
FTLfiling@waltonlantaff.com; dfitzgerald@waltonlantaff.com; kvogt@waltonlantaff.com.

/s/ Skender Hoti
Skender Hoti
3103 Drew Way
Palm Springs, Florida 33406
Telephone: (561) 385-6390
skendertravel@hotmail.com

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

DAVID M. GARTEN, ESQ.,

Plaintiff/Counter-Defendant,

Case No. 2012CA011639-XXXX-MB

v.

SKENDER HOTI AKA KENNETH BATSON,

Defendant/Counter-Plaintiff.

_____ /

ORDER ON DEFENDANT/COUNTER-PLAINTIFF SKENDER HOTI'S MOTION TO DISMISS PLAINTIFF'S APPLICATION FOR ATTORNEY'S FEES AND ALTERNATIVELY FOR A STAY- CONTINUANCE AND TO APPEAR BY TELEPHONE AND OTHER RELIEF

THIS CAUSE having come on to be heard on February 17, 2017 on Defendant/Counter-Plaintiff Skender Hoti aka Kenneth Batson's Motion to Dismiss Plaintiff's Application for Attorney's Fees and Alternatively for a Stay-Continuance and to Appear by Telephone and Other Relief, and the Court having considered the Motion and having been duly advised in the premises, the Court determines as follows:

1. The Court makes the following Findings of Fact on Mr. Hoti's factually detailed Motion to Dismiss the application for Attorney's Fees on Appeal:

_____.

2. The Court makes the following conclusions of law and written opinion on Mr. Hoti's factually detailed Motion to Dismiss the application for Attorney's Fees on Appeal:

_____;

3. The Court makes the following Findings of Fact on Mr. Hoti's factually detailed motion for a Stay and Continuance:

_____;

4. The Court makes the following conclusions of law and written opinion on Mr. Hoti's factually detailed motion for a Stay and Continuance:

;
It is therefore hereby ORDERED that Defendant/Counter-Plaintiff Skender Hoti aka Kenneth Batson's Motions to Dismiss Plaintiff's Application for Attorney's Fees and Alternatively for a Stay-Continuance are hereby _____

Defendant/Counter-Plaintiff Skender Hoti aka Kenneth Batson's Motion to Appear by Telephone is hereby GRANTED.

It is further ORDERED that _____

DONE AND ORDERED in Chambers in West Palm Beach,
Palm Beach County, Florida, this ___ day of _____, 2017.

HONORABLE JEFFREY DANA GILLEN Circuit Judge

Copies furnished to:

Deborah P. FitzGerald, Esq., Walton Lantaff Schroeder & Carson LLP, Corporate Center 110 E. Broward Blvd., Suite 2000, Fort Lauderdale, FL 33301-350 E-mail:

FTLfiling@waltonlantaff.com; dfitzgerald@waltonlantaff.com; kvogt@waltonlantaff.com

Skender Hoti, Pro Se, 3396 Via Mancebo, Lake Worth, Florida 33467 E-mail:

skendertravel@hotmail.com

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