

**IN THE TWELFTH JUDICIAL CIRCUIT COURT
IN AND FOR SARASOTA COUNTY, FLORIDA**

DR. JAMES P. WALLACE, III,
222 BEACH OWNERS ASSOCIATION, INC.,
ROBERT I. SAX, and MARINA DEL SOL
CONDOMINIUM ASSOCIATION, INC.,

Case No.: 2021-CA-5582-NC

Division: A

Plaintiff,

v.

SARASOTA COUNTY, FLORIDA,
a political subdivision of the State of Florida,

Defendant.

ORDER SETTING HEARING TO BE CONDUCTED ON ZOOM PLATFORM

YOU ARE NOTIFIED that a Court hearing conducted via **ZOOM videoconference** is scheduled in this case before the Honorable Stephen Walker, as follows:

Date & Time: Friday, March 18, 2022 at 2:30 p.m.
Time Reserved: 1 HOUR
Matter(s): Sarasota County's Motion to Dismiss [DIN 16]
Zoom Credentials: <https://www.zoom.us/> Click "Join A Meeting"
Meeting ID: 465 693 0098
Password: 568290
Audio only: Choose from the following list of numbers and use the same Meeting ID
(786) 635-1003

Is hearing evidentiary? No

There are no fees for attending this court hearing via the Zoom platform. Unless the Judge specifically authorizes an in-person attendance, all individuals, including the court reporter, must attend using the Zoom platform at <https://www.zoom.us>. Please select the "Join A Meeting" link and then enter the Meeting ID and Password to access the hearing. You may also join the

court hearing from Judge Stephen Walker's Zoom Video Conference Access Information page at [Court Hearings on Zoom \(flcourts.org\)](https://www.flcourts.org).

Court proceedings are open to the public. Members of the public may use the Zoom credentials to access the hearing. Judge Walker will "host" the videoconference. When you sign on, you will be placed in a waiting room. The Court will admit you at the beginning of the hearing. Please name your video feed with your first and last name.

Late entry or Technical Difficulties (Optional)

If you are not logged in when the hearing begins, the Judge may not interrupt the proceedings to admit you to the hearing. If you have trouble logging in, and you wish to participate in the hearing, contact the Judge's Judicial Assistant immediately.

Digital Court Recording

You are advised that the Court may record this proceeding via the Court's Digital Court Recording. Not all hearings are digitally recorded, however.

No Recording Proceedings (Optional)

By court rule and court order, you are not authorized to make your own audio or visual recording of a court proceeding. No one may take "screenshots" or other audio or visual depictions of a court proceeding. Recording a court proceeding is strictly prohibited unless approved by the Judge. If you violate these rules, you may be held in contempt of court. Members of the media must comply with rule 2.450 and administrative order 2020-23.2 regarding media coverage. Please contact the Court's Public Information Officer for further information.

Expectations for ALL Participants Attending Zoom Hearings

Please see the expectations for all participants on the Twelfth Judicial Court Website: <https://www.jud12.flcourts.org/Public-Information/Public-Court-Hearings>

ADA Notice

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Sarasota County Jury Office, 2000 Main Street, Sarasota, FL 34237, at least seven (7) days before your scheduled court appearance, or immediately upon receiving this

notification if the time before the scheduled appearance is less than seven (7) days; if you are hearing or voice impaired, call 711. Additional ADA information can be found on the Twelfth Circuit Court Website: <https://www.jud12.flcourts.org/Services/ADA>

Interpreters (Optional)

The Twelfth Judicial Circuit provides spoken language court interpreters to limited-English-proficient persons in accordance with Title VI of the Civil Rights Act of 1964, section 90.606, Florida Statutes, and Rule 2.560, Florida Rules of Judicial Administration. If you require the assistance of an interpreter, please submit your request to:

<https://www.jud12.flcourts.org/Programs/Court-Interpreters/Interpreter-Request> or please call 941-749-3659. Please submit your request as early as possible, requests made with less than 5 business days' notice may not be accommodated.

El Duodécimo Circuito Judicial provee intérpretes judiciales de la lengua hablada a personas con dominio limitado del inglés de acuerdo con el Título VI de la Ley de Derechos Civiles de 1964, la sección 90.606, los Estatutos de la Florida y la Regla 2.560 de las Reglas de Administración Judicial de la Florida. Si requiere la ayuda de un intérprete, por favor envíe su solicitud a <https://www.jud12.flcourts.org/Programs/Court-Interpreters/Interpreter-Request/lang/s>

o llame al 941-749-3659. Por favor, envíe su solicitud lo antes posible, las solicitudes hechas con menos de 5 días hábiles no pueden ser garantizadas.

Respectfully submitted on this 3rd day of February 2022.

Frederick J. Elbrecht, County Attorney
David M. Pearce, Assistant County Attorney
OFFICE OF THE COUNTY ATTORNEY
1660 Ringling Blvd., Second Floor
Sarasota, Florida 34236
Telephone: (941) 861-7261
Facsimile: (941) 861-7267
Email: dpearce@scgov.net
Counsel for Defendant Sarasota County, Florida

/s/ David M. Pearce
David M. Pearce, Asst. County Attorney
Florida Bar No. 0107905

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing document has been electronically filed with the Clerk of Court using the E-Filing Portal System which will send a notice of electronic filing on this 3rd day of February 2022 to the following:

David Smolker, Esq.
R. Clay Mathews, Esq.
SMOLKER MATHEWS, LLP
100 S. Ashley Dr., Ste. 1490
Tampa, FL 33602
davids@smolkermathews.com
clay@smolkermathews.com
molly@smolkermathews.com
Attorneys for Plaintiffs

Ralf Brookes, Esq.
1217 E. Cape Coral Pkwy., #107
Cape Coral, FL 33904
RalfBrookes@gmail.com
Attorney for Plaintiffs

Shane T. Costello, Esq.
Scott A. McLaren, Esq.
Jarod A. Brazel, Esq.
HILL, WARD & HENDERSON, P.A.
101 East Kennedy Boulevard
Bank of America Plaza, Suite 3700
Tampa, Florida 33602
shane.costello@hwhlaw.com
scott.mclaren@hwhlaw.com
jared.brazel@hwhlaw.com
jaime.schill@hwhlaw.com
relitsamcla@hwhlaw.com
RELit.STC@hwhlaw.com
michelle.ebrada@hwhlaw.com
Attorneys for Intervenors

/s/ David M. Pearce
David M. Pearce, Asst. County Attorney
Florida Bar No. 0107905

JACS[®] Judicial Automated Calendaring System

12th Judicial Circuit - Sarasota County

Scheduling a Hearing

Current Selected Court: CIRCUIT CIVIL DIV A, SARASOTA, JUDGE STEPHEN M. WALKER

This is your confirmation page. It is recommended that you print this page for your records. If you need to Re-Schedule or Cancel this hearing, please use the Confirmation Number on this page.

***** 12th Judicial Circuit - Sarasota County *****
**CIRCUIT CIVIL DIV A, SARASOTA
JUDGE STEPHEN M. WALKER
ZOOM**

Hearing confirmation on **03/18/2022** at **2:30 pm** for **60 minutes**

Case #: **58-2021-CA-005582-XXXA-NC**
Motion: **_DISMISS-SET WITH MAGISTRATE**
Attorney: **0349259 Smolker, David**
Plaintiff: **WALLACE, JAMES P III**
Opposing Attorney: **0107905 Pearce, David Michael**
Defendant: **SARASOTA COUNTY**
Confirmation #: **223923**

[Schedule an In-Person Hearing](#)

[For a list of hearings previously scheduled](#)

[Schedule a Telephone Hearing](#)

[Display a list of available hearings dates](#)

[To cancel a Hearing](#)

[To change courts](#)

[To Re-Schedule a Hearing](#)

[To Logout and return to JACS Home page](#)

Print