

IN THE CIRCUIT COURT IN AND FOR
PALM BEACH COUNTY, FLORIDA

CIRCUIT CIVIL DIVISION: "AO"
CASE NO.: 50-2018-CA-002317-XXXX-MB

WALTER E SAHM,
CHARLES REVARO AS GUARDIAN OF THE WARD PAMELA A SAHM,
Plaintiff/Petitioners
vs.
BERNSTEIN FAMILY REALTY LLC,
ALL UNKNOWN TENANTS,
BRIAN O'CONNELL,
et al.,
Defendant/Respondents.

**ORDER DIRECTING PRE-HEARING SCHEDULE FOR
ATTORNEY FEES AND COST MOTIONS**

THIS MATTER came before the Court on Plaintiffs' Motion to Strike Alleged Settlement Agreement for Fraud and for Sanctions. By order dated March 6, 2025, this Court granted entitlement to the Plaintiffs against Defendant Eliot Bernstein, Defendant, Bernstein Family Realty, LLC, and counsel Inger Garcia Esq., and entered an order to that effect on March 6, 2025. Accordingly, it is hereby **ORDERED AND ADJUDGED** as follows:

1. The parties and the Court will benefit by pre-hearing disclosures and party conferences to clarify the extent and basis of any objections to the motion on an item by item basis and resolve as much of the dispute as possible through good faith negotiations. To that end, the parties may, by agreement, extend each deadline imposed in this Order by up to 30 days without further Order of the Court.
2. Within 60 days, the movant(s) shall submit to the parties from whom fees or costs are sought the name and address of the fee/cost expert that will be used in support of the motion along with copies of all billing, timesheets, invoices for costs, and any other documentary evidence relating to attorneys' fees and/or court costs claimed (collectively the "Claim"). Failure to specifically identify and itemize any fee or cost may result in a waiver of the right to have it awarded or taxed.
3. Within 30 days after service of the itemized Claim required by paragraph 2 of this Order, any party opposing any part of the Claim shall respond to the movant(s) by providing specific objection to each disputed line item and the legal or factual basis for each objection. They shall also identify the name and address of any expert it intends to use in rebuttal. Failure of a party to specifically object to an item may result a waiver of any right to object. All objections must be in good faith and frivolous or baseless requests or objections may be deemed waived.
4. Within 15 days after service of any objections required by paragraph 3 of this Order, the parties and their respective experts shall meet for the purposes of conferring over each disputed item of the Claim. If the parties cannot resolve the Claim, they shall file a joint report within 15 days of meeting that:

- (a) Lists each specific line items of the Claim that remains in dispute;
- (b) Identifies by line item the legal or factual basis for each objection and the specific response of the movant(s) to each objection;
- (c) Provides legal authorities in support of each parties position, and
- (d) Proposes the exact amount of time necessary for an evidentiary hearing.

Copies of the joint report should be sent to Chambers by email at CAD-DivisionAO@pbcgov.org. If an evidentiary hearing is anticipated to take a half-hour or less the parties may use the on the on-line scheduling system, and the hearing shall be set within 20 days from filing of the report. Evidentiary hearings requiring more than a half-hour will be set before a Senior Judge or will be set at calendar call. Failure to comply with this Order in the time frames set forth above may result in the motion being deemed abandoned and the case closed without further notice.

DONE AND ORDERED in Chambers, at West Palm Beach, Palm Beach County, Florida.



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John J. Parnofiello
Circuit Judge

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