

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES, AND MOBILE HOMES

IN RE: PETITION FOR ARBITRATION

JEFFERY GIORDANO/SHERLOCK HOMES
INVESTMENTS, LLC,

Petitioners,

v.

Case No. 2023-06-8497

THE AMETHYST CONDOMINIUM
ASSOCIATION, INC.,

Filed with
Arbitration Section

Respondent.

MAR - 7 2024

Div. of FL Condos, Timeshares & MH
Dept. of Business & Professional Reg.

DEFAULT AND NOTICE OF INTENT TO ENTER FINAL ORDER ON DEFAULT

Default

On February 21, 2024, Respondent filed its Motion for Clarification as to Deadline Due to Petitioner's Counsel's Admitted Error, or Alternatively, Motion for An Extension of Time to File Answer Due to Illness of Counsel and Change of Property Manager. ("Motion") On February 23, 2024, an Order on Respondent's Motion for Clarification and Notice to the Parties was entered. (Clarification Order). The Clarification Order required the Respondent to file an answer by March 1, 2024. To date, Respondent has failed to file an answer or motion with the office of the arbitrator. Pursuant to Rule 61-B-45.020(1), for Respondent's failure to comply with the order requiring answer and the arbitration rules of procedure, an order of default is hereby entered against the Respondent. A defaulting party admits well-pleaded facts and acquiesces in the relief sought.

Notice of Intent to Enter Final Order on Default

Pursuant to Rule 61B-45.020(2), Florida Administrative Code, “[f]inal orders after default may be entered at any time.” In order to set aside the default before entry of the final order granting the relief requested by the petitioner, no later than February 22, 2023, the Respondent must file an answer in conformance with the Order Requiring Answer, accompanied by a sufficient explanation as to why an answer was not timely filed.

FAILURE TO PROVIDE A SUFFICIENT EXPLANATION AS TO WHY AN ANSWER OR MOTION WAS NOT TIMELY FILED WILL RESULT IN THE ENTRY OF A FINAL DEFAULT IRRESPECTIVE OF WHETHER RESPONDENT FILES AN ANSWER TO THE PETITION.

If the Respondent has provided the relief requested by the Petitioner or has otherwise settled the case with the Petitioner, this fact should be immediately communicated to the arbitrator by the Respondent.

No request for an extension of time to respond to this order will be entertained.

This order requires the filing of an answer or motion authorized by rule 61B-45.019, Florida Administrative Code. The filing of any other type of document will be treated as a willful failure to comply with the requirements of this order pursuant to rule 61B-45.036, Florida Administrative Code.

ORDERED:

Respondent shall, by **5:00 p.m. March 16, 2024**, file an answer to the petition.

DONE AND ORDERED on March 7, 2024, in Tallahassee, Leon County, Florida.

J. A. Spejenkowski

J.A. Spejenkowski, Arbitrator

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