

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

CASE NO: 2026-009414-CA-01

SECTION: CA21

JUDGE: Jason E. Dimitris

BRIAN LEIBERMAN

Plaintiff(s)

vs.

ATXS et al

Defendant(s)

_____ /

ORDER TO SERVE DEFENDANT

Plaintiff is hereby placed on notice that service of process must be completed on Defendant(s) within the 120-day timeframe required by Rule 1.070 (j), Fla. R. Civ. P.

It is, **ORDERED AND ADJUDGED:**

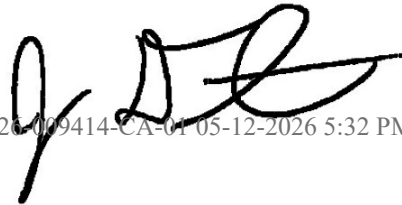
1. Plaintiff shall serve the Defendant(s) by the 120-day deadline.
2. If Plaintiff will be unable to serve by the 120-day deadline, to avoid dismissal by the Court, Plaintiff may file a Motion to extend service and Plaintiff must contemporaneously email proof of the filing to the Court at 11thca21@jud11.flcourts.org. The Motion must contain proof of the specific details showing good cause and/or excusable neglect for the failure to serve any Defendant(s) and what steps are being undertaken to perfect service.
3. The Court hereby places the Plaintiff on notice, that the Plaintiff must do one of the following to avoid dismissal:
 - a. Submit a proposed order in CourtMap granting the shortest extension necessary, along with a cover letter and the Motion in CourtMap's supporting documents, so that the Court can issue a ruling on whether or not the 120-day deadline extension will be granted.
 - b. Plaintiff may also file a motion and set a hearing to be heard before Day-120, if Plaintiff requests an opportunity to be heard.
4. If Plaintiff fails to either: 1) submit a proposed order as instructed above; or, 2) schedule the motion for a hearing to be heard by day 120, the Court will likely dismiss the action.

Failure to serve in compliance with the Rule may result in dismissal of any unserved defendant(s), or dismissal of the action, on or after the 120th day from the date of filing this

Case, without further notice or hearing.

This is the only notice Plaintiff will receive.

DONE and ORDERED in Chambers at Miami-Dade County, Florida on this 12th day of May, 2026.



2026-009414-CA-01 05-12-2026 5:32 PM

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Hon. Jason E. Dimitris

CIRCUIT COURT JUDGE

Electronically Signed

No Further Judicial Action Required on **THIS MOTION**

CLERK TO **RECLOSE** CASE IF POST JUDGMENT

Electronically Served:

- Jose J Teurbe-Tolon: jose@xanderlaw.com
- Jose J Teurbe-Tolon: service@xanderlaw.com