

IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA

CASE NO. CACE24015112 DIVISION: 07 JUDGE: Tuter, Jack B., Jr. (07)

DANIEL STERMER

Plaintiff(s) / Petitioner(s)

v.

HERON POND CONDOMINIUM ASSOCIATION, INC., et al

Defendant(s) / Respondent(s)

_____ /

**ORDER GRANTING PLAINTIFF'S MOTION FOR ORDER PERMITTING SERVICE OF
PROCESS BY PUBLICATION UPON NON-SERVED DEFENDANTS**

THIS MATTER came before the Court on February 26, 2025, at 8:45 a.m., in Broward County, Florida, upon the *Plaintiff's Motion for Order Permitting Service of Process By Publication Upon Non-Served Defendants* (the "Motion") filed by the Plaintiff, Daniel J. Stermer, Receiver ("Plaintiff"). The Motion requests authorization to serve the Non-Served Defendants and the Nelson Heirs¹ by publication with process in this case. The Court, having considered the Motion, finding good cause for the granting thereof, and being advised in the premises, does

ORDER as follows:

1. The Motion is **GRANTED**.
2. Plaintiff, Daniel J. Stermer, Receiver shall be permitted to serve process upon the Non-Served Defendants and the Nelson Heirs by publication pursuant to Fla. Stat. § 49.011, *et seq.*
3. Service by publication upon a natural person is appropriate when personal service of process cannot be had (*See* Fla. Stat. § 49.021).
4. Plaintiff has complied with the condition precedent in Fla. Stat. § 49.031 and 49.041 by filing a sworn statement, contained within the Motion, setting forth that diligent search and inquiry have been made to discover the current residence addresses of the Non-Served Defendants.

5. The Clerk of Court is directed to issue a Notice of Action pursuant to Fla. Stat. § 49.08, which notice shall be published once per week for two (2) consecutive weeks pursuant to Fla. Stat. §49.10(c) in the *Sun-Sentinel*, a newspaper of general circulation in Broward County, Florida, pursuant to Fla. Stat. § 49.10.

6. The Notice of Action requires the Non-Served Defendants and the Nelson Heirs to file written defenses (if any) with the clerk of the Court and to serve a copy within 30 days after the first publication of the notice on the Receiver or his attorney, whose name and address shall appear in said Notice. The Receiver shall be entitled to move for a default if the Non-Served Defendants and Nelson Heirs fail to file written defenses within such time.

¹Capitalized terms used but not defined herein shall have the meanings ascribed in the Motion.

DONE AND ORDERED in Chambers at Broward County, Florida on 27th day of February, 2025.



CACE24015112 02-27-2025 8:15 AM

Hon. Jack Tuter

CIRCUIT COURT JUDGE

Electronically Signed by Jack Tuter

Copies Furnished To:

Alejandro "Alex" Alonso II, Esq. , E-mail : aalonso@eisingerlaw.com
Anthony J. Calenzo , E-mail : christina.hill@troutman.com
Anthony J. Calenzo , E-mail : LitigationDocketRequests@troutman.com
Anthony J. Calenzo , E-mail : anthony.calenzo@troutman.com
Anya E. Macias , E-mail : ycobas@ghidottiberger.com
Anya E. Macias , E-mail : AMacias@ghidottiberger.com
Anya E. Macias , E-mail : FCpleadings@ghidottiberger.com
Benjamin Bruce Brown , E-mail : benjamin.brown@quarles.com
Brian G Rich , E-mail : brich@bergersingerman.com
Brian G Rich , E-mail : kmarsh@bergersingerman.com

Brian G Rich , E-mail : drt@bergersingerman.com
Daniel Cardenal , E-mail : daniel.cardenal@troutman.com
Daniel J. Stermer , E-mail : DStermer@DSICConsulting.com
Elizabeth A. Hazelbaker , E-mail : cyndi.trotti@quarles.com
Elizabeth A. Hazelbaker , E-mail : kerlyne.luc@quarles.com
Elizabeth A. Hazelbaker , E-mail : elizabeth.hazelbaker@quarles.com
Elizabeth A. Hazelbaker , E-mail : docketfl@quarles.com
Harris S. Howard , E-mail : Pleadings@HowardLaw.com
Harris S. Howard , E-mail : ECCM-FL@provana.com
Harris S. Howard , E-mail : 360efile@360legal.net
Jeffrey S. Wertman Esq. , E-mail : jwertman@bergersingerman.com
Joseph Thomas Kohn , E-mail : joseph.kohn@quarles.com
Maria Karla Casariego Suarez , E-mail : maria@business-esq.com
Maria Karla Casariego Suarez , E-mail : ryan@business-esq.com
Maria Karla Casariego Suarez , E-mail : service1@business-esq.com
Matthew G Krause , E-mail : matthew.krause@blaxgray.com
Matthew G Krause , E-mail : space@blaxgray.com
Michael Niles , E-mail : mniles@bergersingerman.com
Richard G. Coker Jr. , E-mail : rgcoker@coker-feiner.com
Richard G. Coker Jr. , E-mail : rafeiner@coker-feiner.com
Richard G. Coker Jr. , E-mail : krcoker@coker-feiner.com
Roberto E Moran , E-mail : ahochman@robertomoranlaw.com
Roberto E Moran , E-mail : rmoran@robertomoranlaw.com
Rosannie Troche Morgan , E-mail : dmorales@burr.com
Rosannie Troche Morgan , E-mail : rtmorgan@burr.com
Rosannie Troche Morgan , E-mail : abaxley@burr.com
Suzan Prince , E-mail : sprince@bergersingerman.com
Tara Turner , E-mail : tara.turner@akerman.com
Tara Turner , E-mail : elena.hamilton@akerman.com
Todd Drosky , E-mail : fleservice@flwlaw.com
Todd Drosky , E-mail : khadden@flwlaw.com
Todd Drosky , E-mail : tdrosky@flwlaw.com
Yesica S. Liposky , E-mail : kim.novak@dinsmore.com
Yesica S. Liposky , E-mail : eileen.garvey@dinsmore.com
Yesica S. Liposky , E-mail : yesica.liposky@dinsmore.com
janet diaz , E-mail : jdiaz@bergersingerman.com