

**IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY, FLORIDA**

CASE NO.: CACE 24-015112

DANIEL J. STERMER AS RECEIVER OF THE  
HERON POND CONDOMINIUM ASSOCIATION,  
INC.,

Plaintiff,

v.

HERON POND CONDOMINIUM ASSOCIATION,  
INC., AND ALL UNIT OWNERS LISTED ON EXHIBIT  
“D” AND OTHER INTERESTED PARTIES LISTED  
ON EXHIBIT “E” TO THE COMPLAINT,

Defendants.

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**PLAINTIFF’S MOTION TO SET SERVICE DATE AND REQUEST SPECIAL  
SET HEARING ON RECEIVER’S MOTION FOR SUMMARY JUDGMENT  
FOR TERMINATION OF CONDOMINIUM AND APPROVAL  
OF PLAN OF TERMINATION**

Plaintiff, Daniel J. Stermer, not individually, but solely as Receiver of the Heron Pond Condominium Association, Inc., (“Plaintiff” or “Receiver”), respectfully seeks to expedite the judicial process surrounding the termination of the Heron Pond Condominium and ensure the equitable distribution of proceeds from the property’s sale. The Receiver requests the Court set the service date for his *Motion For Entry of Final Judgment of Termination of Condominium under Section 718.118, Florida Statutes and Approval of Plan of Termination* (“Summary Judgment Motion”), and schedule a special set hearing for the week of April 23, 2025, or soon thereafter. This timeline will allow adequate notice to defendants and all interested parties while ensuring timely progress in terminating the condominium and beginning the marketing and sale process of the property.

1. On March 3, 2025, the Receiver filed the Summary Judgment Motion.<sup>1</sup>
2. Pursuant to the Summary Judgment Motion, the Receiver seeks equitable relief from this Court and the entry of a judgment authorizing: A) the termination of that certain condominium known as the Heron Pond Condominium (“Heron Pond”) located in Pembroke Pines, Broward County, Florida and B) the approval of a Plan of Termination appointing the Receiver as the Termination Trustee which Plan of Termination authorizes i) the marketing and sale process of the Condo Property and ii) provides for the equitable distribution of the sale proceeds.
3. The Summary Judgment Motion was served on all Unit Owners and Other Interested Parties on March 3, 2025, and March 4, 2025, through i) Florida Court’s E-Filing Portal, which sent notice of electronic filing to all electronic service parties; ii) via email upon all Unit Owners via the email addresses on file,<sup>2</sup> and iii) posted the Receiver’s Website ([www.heronpondreceiver.com](http://www.heronpondreceiver.com)).
4. The Unit Owners and residents have already endured the stress of displacement, financial strain, and an uncertain future. This Summary Judgment seeks to provide closure and a path forward, ensuring that all owners receive their fair share while allowing the property to be repurposed in a way that benefits the community as a whole. The law provides a mechanism for relief in situations like this, and the evidence will show that termination under Section 718.118, Florida Statutes, is both appropriate and necessary.
5. The Florida Supreme Court recently adopted amendments to the Florida Rules of Civil Procedure that took effect on January 1, 2025. Rule 1.510 was amended to tie the deadline

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<sup>1</sup> Capitalized terms used herein shall have the same meaning defined in the Summary Judgment Motion.

<sup>2</sup> The email addresses on file are the same email addresses used to solicit the Acceptance of Service and Waiver of Process from the Unit Owners. The list is updated regularly to include any additional email address of Unit Owners.

for responding to a motion for summary judgment to the service date of the motion rather than the hearing date. The rule was amended to require a response to be served “no later than 40 days after service of the motion for summary judgment” and the require that a hearing on a motion for summary judgment “be set for a date at least 10 days after the deadline for serving a response, unless the parties stipulate or the court orders otherwise.” Fla. R. Civ. P. 1.510 (2025).

6. The Receiver requests the Court set the service date of the Summary Judgment Motion as of March 4, 2025, and schedule a 30-minute special set hearing on the Summary Judgment Motion during the week of April 23, 2025, or soon thereafter, which will provide the requisite notice time under Rule 1.510.

7. A timely hearing on the Summary Judgment Motion is necessary in order to expedite the termination of the condominium and begin the marketing and sale process of the Condo Property for the benefit of the Unit Owners and Other Interested Parties. The Receiver is not expecting material opposition to the Summary Judgment Motion but proposes the hearing be set the week of April 23, 2025, to comply with new rules of civil procedure and to provide an opportunity for Unit Owners and Other Interested Parties to review the Summary Judgment Motion and proposed Plan of Termination.

8. Notice of the hearing will be provided to all interested parties via i) Florida Court’s E-Filing Portal, which sent notice of electronic filing to all electronic service parties; ii) via email upon all Unit Owners via email addresses on file; and iii) posted the Receiver’s Website ([www.heronpondreceiver.com](http://www.heronpondreceiver.com)).

9. The Receiver is not seeking to prejudice any party in requesting the relief set forth herein and in his business judgment believes a timely ruling on the Summary Judgment Motion is necessary to proceed with the termination and sale of the Condominium.

WHEREFORE, Plaintiff, Daniel J. Stermer, as Receiver of the Heron Pond Condominium Association, Inc., respectfully requests this Court grant this Motion setting the Service date as of March 4, 2025, and coordinating a special set hearing in this matter to approve the Summary Judgment Motion the week of April 23, 2025, or soon thereafter.

Dated: March 4, 2025

Respectfully submitted,

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By: /s/ Brian G Rich

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**CERTIFICATE OF ELECTRONIC FILING AND SERVICE**

I **HEREBY CERTIFY** that on this 4th day of March 2025, the foregoing was filed electronically through the Florida Court’s E-Filing Portal, which will send notice of electronic filing to all electronic service parties. Additionally, the Receiver shall transmit this Motion and Ancillary documents upon all Unit Owners via email addresses on file and will post the Motion on the Receiver’s Website.

By: /s/ Brian G. Rich  
Brian G. Rich