

IN THE SUPREME COURT OF FLORIDA

CASE NO. SC22-425

JACK KOWALSKI, individually and on behalf of his children, MAYA KOWALSKI, a minor, and KYLE KOWALSKI, a minor, and as Personal Representative of the Estate of BEATA KOWALSKI, deceased,

Petitioners,

v.

JOHNS HOPKINS ALL CHILDREN'S HOSPITAL, INC. and CATHERINE BEDY,

Respondents.

**PETITIONERS' MOTION FOR LEAVE TO AMEND EMERGENCY
PETITION FOR WRIT OF PROHIBITION**

Petitioners, pursuant to Florida Rule of Appellate Procedure 9.040(d), seek leave to amend their Emergency Petition for Writ of Prohibition filed in this Court on Friday, April 1, 2022. The Emergency Petition was filed under exigent circumstances, after the Second District Court of Appeals acted on Thursday, March 31, 2022 on Respondents' motion seeking to stay trial of the case below in the Twelfth Circuit on the eve of trial. The trial was set to begin this morning before the Honorable Judge Hunter Carroll in the Twelfth Circuit Court, and can still proceed if the subject Emergency Petition is

RECEIVED, 04/04/2022 08:18:21 AM, Clerk, Supreme Court

promptly acted upon. Petitioners were informed late on April 1st that this Court would not be acting on the Emergency Petition before Monday, April 4, 2022, and seek to amend the Emergency Petition to clarify the underlying procedural history, the basis for the instant Emergency Petition, and to request alternative relief via a writ of mandamus. The Emergency (Amended) Petition for Writ of Prohibition and/or Mandamus was filed late on Sunday, April 3, 2022, and should leave to amend be granted and the Amended Petition reviewed, Respondents will suffer no prejudice.

DATED April 4, 2022.

Respectfully filed,

ANDERSONGLENN LLP

/s/ Gregory A. Anderson

Gregory A. Anderson, Esquire

Florida Bar Number: 398853

gaanderson@asglaw.com

Jennifer C. Anderson, Esquire

Florida Bar Number: 594946

janderson@asglaw.com

Nicholas P. Whitney, Esquire

Florida Bar Number: 119450

nwhitney@asglaw.com

Filzah Pavalon, Esquire

Florida Bar Number: 1033403

fiqbal@asglaw.com

10751 Deerwood Park Blvd., Ste.
105

Jacksonville, Florida 32256

Telephone: (904) 273-4734

Facsimile: (904) 273-4712

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 4, 2022, I electronically filed the foregoing document with the Clerk of the Court using Florida Court's E-Filing Portal and certify that all counsel of record have been served via transmission of Notice of Electronic Filing generated by Florida Court E-Filing Portal or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing:

Marie A. Borland
Florida Bar No: 0847984
C. Howard Hunter
Florida Bar No: 270199
David W. Hughes
Florida Bar No: 91482
HILL WARD HENDERSON
Post Office Box 2231
Tampa, FL 33601-2231
(813) 221-3900/ (813) 221-2900 Fax
marie.borland@hwlaw.com
howard.hunter@hwlaw.com
david.hughes@hwlaw.com
Attorneys for Johns Hopkins All
Children's Hospital, Inc., and Catherine Bedy

Chris W. Altenbernd
Banker Lopez Gassler P.A.
501 East Kennedy Blvd, Suite 1700
Tampa, Florida 33602
Office: (813) 221-1500
(813) 222-3066 fax
caltenbernd@bankerlopez.com

/s/ Gregory A. Anderson
Gregory A. Anderson, Esquire