

**IN THE DISTRICT COURT OF APPEAL  
THIRD DISTRICT – STATE OF FLORIDA**

3rd DCA CASE NO.: 3D23-1545  
(L.T. Case No.: 2021-002070-CP-02)

E.M.A., a Minor Child, by and  
through her Mother, MELISSA AZRACK,  
as parent, natural guardian,  
next friend, and court-appointed  
guardian of the property of the  
Minor Child, E.M.A., joined by  
MELISSA AZRACK, individually,

Appellants,

v.

JOHN M. McDONALD, as Personal  
Representative of the Estate of  
MALCOLM JOEL DORMAN, Deceased,

Appellee.

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**APPELLANTS' NOTICE OF COMPLIANCE WITH THE COURT'S  
APRIL 8, 2024 ORDER REQUIRING A STATUS REPORT  
REGARDING PAYMENT TO THE COURT REPORTER**

Appellants, E.M.A. and Melissa Azrack, through their appellate undersigned counsel, hereby comply with this Court's April 8, 2024 Order requesting Appellants to file a status report regarding the issue of payment to the Court Reporter and the following is stated in compliance:

1. Multiple court reporters covered various days of the multi-day trial. None of the court reporters were hired by the Appellants or any attorney representing the Appellants.

2. The court reporter that covered most of the trial days was Stella Kim. Ms. Kim has confirmed in writing in a recent email to the undersigned that the preparation/completion of the trial transcripts should not have taken five months. The same stenographer, Stella Kim, has further confirmed that she is in a dispute with Brickell Gomberg for what Ms. Kim claims is owed to her for her court reporting work in this case. A copy of Stella Kim's email of April 10, 2024 is attached as Exhibit "A".

3. Appellant, Melissa Azrack, has made arrangements for the wire transfer in the amount of \$8,000 (the original agreed remaining balance) to Brickell Gomberg. See Exhibit "B" hereto. Because wire instructions were not received until late Friday, April 12, 2024, the wire should be received Monday, April 15, 2024. Confirmation of this is attached hereto as Exhibit "C".

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via E-mail to: **DANIEL M. SAMSON, ESQ.**, B.C.S., Samson Appellate Law, 201 S. Biscayne Boulevard, #2700, Miami, Florida 33131, E-mail: [dan@samsonappellatelaw.com](mailto:dan@samsonappellatelaw.com) and [leah@samsonappellatelaw.com](mailto:leah@samsonappellatelaw.com); on this 12<sup>th</sup> day of April, 2024.

BARRY S. FRANKLIN & ASSOCIATES, P.A.  
Counsel for Appellant(s)  
3590 Mystic Pointe Drive  
Aventura, Florida 33180  
Telephone: (305) 940-4000  
Facsimile: (305) 940-0940

By: /s/ Barry S. Franklin  
BARRY S. FRANKLIN, ESQUIRE  
Florida Bar Number: 279633  
Email: [Barry@barrsfranklin.com](mailto:Barry@barrsfranklin.com)

## Barry Franklin

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**From:** Stellakimcr <stellakimcr@gmail.com>  
**Sent:** Wednesday, April 10, 2024 7:24 PM  
**To:** Barry Franklin  
**Cc:** Bgsupport@aol.com; Lwilson; Menteckyj; Bruce A. Katzen; Daniel Samson; Samantha Weinberg; Jessica Williams; Leslie B. Rothenberg; Sscott  
**Subject:** Re: Azrack/Dorman Estate - Email directed to various court reporters

Hello Barry.

Thank you for the update.

You have received my itemized invoice which included all requested credits for expedited Petitioner portions by your office as well as a credit for the down payment.

I will be requiring direct payment of my invoice as I am under zero agency requirement regarding Brickell Gomberg or any affiliation with the other reporters involved in their internal dispute with your office or Brickell Gomberg.

I also was not involved in the discussions or decision regarding payment terms or services of a third-party reporter. That decision was unilaterally made by Lisa Wilson and/or Brickell Gomberg.

I am open to discussing a negotiation of my outstanding invoice as I agree, five months for production of the final appeal is unacceptable.

Please contact me directly for payment submission and any further questions related to my invoice.

Thank you.

## Stella Kim, Stenographer

SK Reporting, LLC  
(954) 297-6526  
StellaKimCR@gmail.com

On Apr 10, 2024 at 7:12 PM, <Barry Franklin> wrote:

As all of you may know, the Third District entered an Order yesterday on April 8, 2024 requesting that I file (as appellate counsel for the Appellants), a status report with regard to the payment issue relating to the trial transcripts.

As I see it, there are two issues here.

The first issue is that we ordered the full trial transcript (the portions that we did not previously order, receive and pay for) back on November 3, 2023 and it took until March 26, 2024 to be advised that the transcripts were finally ready for filing with the Court and transmittal to my office. We did not bargain for nor should it have taken five months for the transcripts to be prepared and ready for filing.

*Exhibit<sup>1</sup> A*

## Barry Franklin

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**From:** Bgsupport@aol.com  
**Sent:** Tuesday, March 26, 2024 4:56 PM  
**To:** Jessica Williams; Barry Franklin  
**Subject:** Re: SERVICE OF DESIGNATION TO COURT REPORTER CASE NO.: 2021-002070-CP-02/3D23-1545  
**Attachments:** Petitioner's Designation to the Court Reporter - Appeal of FJ.pdf

Hi Jessica,  
The transcript has been completed. There is an \$8,000 balance due on the agreed-upon price. Once the payment clears we will send the transcript to you.  
Thank you,  
Billy

**Brickell, Gomberg & Associates, Inc.**  
**One East Broward Boulevard, Suite 700**  
**Fort Lauderdale, FL 33301**  
**954.522.0067**

BRICKELL, GOMBERG & ASSOCIATES, INC.  
REALTIME COURT REPORTERS  
LITIGATION SUPPORT SERVICES

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On Wednesday, August 30, 2023 at 02:23:14 PM EDT, Jessica Williams <jessica@barrysfranklin.com> wrote:

Good Afternoon, Brickell, Gomberg & Associates:

Attached please find a copy of the Designation to the Court Reporter filed in the above-referenced case number today, August 30, 2023. As pointed out in the Designation, we need a full copy of the trial transcript for the eleven-day trial that took place on March 20-24, 27-29 and April 19-21, 2023 in Case No.: 2021-002070-CP-02. We already have a number of transcript excerpts from the trial, as follows:

*Exhibit B*

**Samantha Weinberg**

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**From:** Melissa Azrack <melissa.azrack@gmail.com>  
**Sent:** Friday, April 12, 2024 5:17 PM  
**To:** Samantha Weinberg  
**Cc:** Barry Franklin; Nicola Franklin  
**Subject:** Fwd: Funds Transfer Request #487078952 Has Been Scheduled

It will arrive on Monday since it's past 5pm.

----- Forwarded message -----

**From:** Online Transfers from Bank of America <[bankofamericatransfers@mail.transfers.bankofamerica.com](mailto:bankofamericatransfers@mail.transfers.bankofamerica.com)>  
**Date:** Fri, Apr 12, 2024 at 5:15 PM  
**Subject:** Funds Transfer Request #487078952 Has Been Scheduled  
**To:** <[melissa.azrack@gmail.com](mailto:melissa.azrack@gmail.com)>

We have received the following transfer request on April 12, 2024:

\*\*\*\*\*  
Item #: 487078952  
Amount: \$8,000.00  
To: Brickell Gomberg and Associates  
Fee: 30.00  
Service: Same Day  
\*\*\*\*\*

You can always check your transfer status on the Review Transfer screen at [www.bankofamerica.com](http://www.bankofamerica.com).

Sincerely,

Member Service

[www.bankofamerica.com](http://www.bankofamerica.com)

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This is a service email from Bank of America. Please note that you may receive service emails in accordance with your Bank of America service agreements, whether or not you elect to receive promotional email.

Read our privacy policy: <http://www.bankofamerica.com/privacy>

Please don't reply directly to this automatically-generated email message.

Bank of America Email, 8th Floor-NC1-002-08-25, 101 South Tryon St., Charlotte, NC 28255-0001

Bank of America, N.A. Member FDIC. Equal Housing Lender:

Exhibit <sup>1</sup>C