

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

MARIA LIMA,

Appellant,

v.

THE GARDENS OF KENDALL SOUTH
CONDOMINIUM NO. 4
ASSOCIATION, INC., and THE
GARDENS OF KENDALL SOUTH
PROPERTY OWNERS ASSOCIATION,
INC.,

Appellees.

CASE NO. 3D2023-1915

LT Case No. 2016-005582-CA-01 (04)

**APPELLEES' RESPONSE TO APPELLANT'S MOTIONS TO SUPPLEMENT THE
RECORD ON APPEAL (FILING NUMBERS 188611803 AND 188658341)**

Appellees The Gardens of Kendall South Condominium No. 4 Association, Inc. (“Condominium No. 4”) and The Gardens of Kendall South Property Owners Association, Inc. (“POA”)¹ hereby respond to Appellant’s Motions to Supplement the Record on Appeal (Filing Numbers 188611803 and 188658341) as follows:

1. As to Filing Number 188611803, no objection to including docket entries 243, 247, 262, 264, 265, 274, and 282.
2. As to Filing Number 188658341, Appellees have objections.
3. Docket entry 332, consisting of Maria Lima’s October 14, 2016 deposition transcript, was first filed in the lower court on December 21, 2023, after this appeal, and is therefore untimely.

¹ Although Christopher Gargano is included in the case caption as an Appellee, the only Appellees are Condominium No. 4 and POA, whose Motion for Summary Judgment was granted in the lower court.

Furthermore, the complete deposition transcript had not been filed in the lower court prior to the commencement of this appeal.

4. Docket entry 339 consists of the transcript of Martha Labat's corporate representative deposition on behalf of Appellees Condominium No. 4 and POA, not Milen Amorin's deposition. Ms. Labat's deposition transcript was first filed on December 22, 2023, after this appeal, and is untimely. It also had not been filed prior to the commencement of this appeal. The document, additionally, has been altered to include miscellaneous documents within it. Furthermore, the page numbers appear to be Ms. Lima's, whereas the page numbers that the court reporter would have presumably included are missing.

5. Milen Amorin's deposition transcript (docket entry 337) was not filed prior to the commencement of this appeal and is therefore untimely. Furthermore, the document has been altered to include miscellaneous documents within it and the page numbers appear to be Ms. Lima's, whereas the page numbers that the court reporter would have presumably included are missing.

6. There is no deposition testimony at docket entry 335. To the extent Appellant is referring to Martha Labat's injunction hearing testimony at docket entry 335, no objection to the inclusion of her injunction hearing testimony.

7. No objection to including docket entry 331, which consists of the hearing transcripts of Appellees' Motion for Summary Judgment and Appellant's Motion for Rehearing of the Order Granting Appellees' Motion for Summary Judgment.

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true copy of the foregoing was furnished via Electronic Service via the Florida Courts E-filing Eportal pursuant to the Supreme Court Administrative Order

AOSC13-490 this date, January 2, 2024, to: Maria Lima, Pro Se Appellant, 10845 SW 112 Ave.
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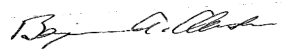
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