

IN THE DISTRICT COURT OF
APPEAL OF FLORIDA
THIRD DISTRICT

Case No.: 3D23-0799
L.T. No.: 10-54597

SHIMON WOLKOWICKI, et al.,

Appellants,

vs.

SYNOVUS BANK, successor by
merger to Florida Community
Bank, N.A.,

Appellee,

**SYNOVUS BANK'S UNOPPOSED MOTION FOR EXTENSION OF
TIME TO FILE ANSWER BRIEF IN ORDER FOR THE PARTIES
TO FINALIZE AND EXECUTE A SETTLEMENT AGREEMENT
RESOLVING THEIR RESPECTIVE APPEALS**

SYNOVUS BANK, successor by merger to Florida Community Bank, N.A. ("Synovus"), hereby files this Motion for Extension of Time to file its answer brief in this appeal in order for Synovus and Shimon Wolkowicki, Yellow Funding Corp., a Florida corporation and Yellow Funding Corp., a New York corporation (the "Wolkowicki Parties") to finalize, execute and implement a pending settlement agreement that

will result in the dismissal of the parties' respective appeals and states as follows:

1. Case Nos. 3D23-1033 (initiated by Synovus) and 3D23-0799 (initiated by the Wolkowicki Parties) were consolidated to travel together and for the record on November 8, 2023.

2. Initial briefs were filed in both cases on January 15, 2024.

3. Synovus's answer brief in Case No. 3D23-0799 is currently due tomorrow, Friday, May 17, 2024, and the Wolkowicki Parties' answer brief in Case No. 3D23-1033 is currently due June 7, 2024.

4. The parties have reached a settlement and are in the process of finalizing and executing a settlement agreement that will result in both parties dismissing their respective appeals.

5. Synovus therefore requests an extension of time to file an answer brief in this case to the same date afforded to the Wolkowicki Parties in 3D23-1033, to and including June 7, 2024. This extension should provide sufficient time for the parties to finalize, execute and implement the settlement agreement.

6. The undesignated counsel has conferred with counsel for the Wolkowicki Parties and has been advised that she has no objection to the relief requested herein.

WHEREFORE, Synovus respectfully requests the Court extend the time for filing its answer brief up to and including June 7, 2024.

Dated: May 16, 2024.

Respectfully submitted,

/s/ Lara Roeske Fernandez

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 16, 2024 a true and correct copy of the foregoing has been electronically uploaded to the Third District Court of Appeal's ePortal and a copy was furnished by email to all counsel of record:

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