

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY, FLORIDA

CASE NO. 2021-017152-CA-01

GEORGE M. SHERMAN and
ROBERT G. RISMAN, TRUSTEE,

Plaintiffs,

v.
MARNIE DALE RAGAN, an individual,
and GURSKY RAGAN, P.A., a Florida
professional association,

Defendants.

NOTICE OF APPEAL

NOTICE IS GIVEN that, Plaintiffs BETSY RAE SHERMAN, as the Personal Representative of the Estate of GEORGE M. SHERMAN ("Sherman") and ROBERT G. RISMAN, TRUSTEE ("Risman"), appeal to the Third District Court of Appeal of the State of Florida, the following orders of this court rendered January 29, 2024:

- (1) Order Granting Defendant, Archie Drury's Motion to Dismiss; and
- (2) Order Denying Plaintiffs' Motion for Leave to File Supplemental Complaint

A conformed copy of each of the orders designated in this notice of appeal is attached hereto. The nature of each order as listed above is:

- (1) a final order dismissing with prejudice all claims against Defendant Archie Drury; and
- (2) an interlocutory order denying a request to file a supplemental complaint against Defendant Drury which is no appealable since the case against Defendant Archie Drury

has been completed as result of the Order Granting Defendant, Archie Drury's, Motion to Dismiss.

Dated: February 27, 2024.

Respectfully submitted,

SHAPIRO RAMOS, professional association
Counsel for Plaintiffs/Appellants
19 West Flagler Street, Suite 516
Miami, FL 33130
Tel.: (305) 374-0052
Fax: (305) 374-7320

By: /s/ Jeffrey P. Shapiro, Esq.
Jeffrey P. Shapiro, FBN 352284
ips@shapiroramos.com
jr@shapiroramos.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing instrument has been filed with the Florida Courts E-Filing Portal on February 27, 2024, which automatically serves all counsel of record.

By: /s/ Jeffrey P. Shapiro
Jeffrey P. Shapiro, Esq.

STATE OF FLORIDA, COUNTY OF MIAMI-DADE
I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE 2-28 AD 20 24
JUAN FERNANDEZ-BARQUIN, Clerk of the Court and Comptroller, Miami-Dade County
Deputy Clerk [Signature]
12662



**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL
CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

CASE NO: 2021-017152-CA-01

SECTION: CA23

JUDGE: Barbara Areces

ROBERT G RISMAN (TR) et al

Plaintiff(s)

vs.

MARNIE DALE RAGAN et al

Defendant(s)

**ORDER DENYING PLAINTIFFS' MOTION FOR LEAVE TO FILE SUPPLEMENTAL
COMPLAINT**

THIS CAUSE having come before the Court on Plaintiffs' Motion for Leave to File a Supplemental Complaint, the Court having reviewed said Motion, court file, and being otherwise duly advised, it is hereby

ORDERED that Plaintiffs' Motion is denied. There is already an action pending in this Court, in Case No.: 2019-9116 CA 01, in which Defendants, Archie Drury and Seaside Villas Condominium Association are parties. There is no need to supplement the claims in this cause.

DONE and ORDERED in Chambers at Miami-Dade County, Florida on this 29th day of January, 2024.

~~2021-017152-CA-01 01-29-2024 3:25 PM~~

2021-017152-CA-01 01-29-2024 3:25 PM

Hon. Barbara Areces

CIRCUIT COURT JUDGE

Electronically Signed

No Further Judicial Action Required on **THIS MOTION**

CLERK TO **RECLOSE** CASE IF POST JUDGMENT

Electronically Served:

Charles Gibson Short, shortc@kleinpark.com
Charles Gibson Short, piersonj@kleinpark.com
Charles Gibson Short, Harriss@kleinpark.com
Darrin Blake Gursky, darrin@grcondolaw.com
Darrin Blake Gursky, melissa@grcondolaw.com
Darrin Blake Gursky, assistant@grcondolaw.com
JEFFREY P SHAPIRO, JPS@SHAPIRORAMOS.COM
JEFFREY P SHAPIRO, KN@SHAPIRORAMOS.COM
JEFFREY P SHAPIRO, jr@shapiroramos.com
John Cody German, cody.german@csklegal.com
John Cody German, nicolle.quant@csklegal.com
Laritz Orozco, orozcol@kleinpark.com
Marnie Dale Ragan, marnie@grcondolaw.com
Marnie Dale Ragan, melissa@grcondolaw.com
Marnie Dale Ragan, assistant@grcondolaw.com
Marnie Dale Ragan, marnie@grcondolaw.com
Marnie Dale Ragan, melissa@grcondolaw.com
Marnie Dale Ragan, tiffany@grcondolaw.com
Robert M Klein, kleinr@kleinpark.com
Robert M Klein, piersonj@kleinpark.com
Robert M Klein, carrillom@kleinpark.com

Physically Served:

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL
CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

CASE NO: 2021-017152-CA-01

SECTION: CA23

JUDGE: Barbara Areces

ROBERT G RISMAN (TR) et al

Plaintiff(s)

vs.

MARNIE DALE RAGAN et al

Defendant(s)

ORDER GRANTING DEFENDANT, ARCHIE DRURY'S, MOTION TO DISMISS

THIS CAUSE, having come before the Court on Defendant, Archie Drury's, Motion to Dismiss, the Court having reviewed said Motion, court file, and being otherwise duly advised, it is hereby

ORDERED that the Defendant's Motion is granted. The issues in this case against Archie Drury are already before the Court in Case No.: 2019-9116 CA 01.

DONE and ORDERED in Chambers at Miami-Dade County, Florida on this 29th day of January, 2024.

~~2021-017152-CA-01 01-29-2024 3:16 PM~~

2021-017152-CA-01 01-29-2024 3:16 PM

Hon. Barbara Areces

CIRCUIT COURT JUDGE

Electronically Signed

No Further Judicial Action Required on **THIS MOTION**

CLERK TO **RECLOSE** CASE IF POST JUDGMENT

Electronically Served:

Charles Gibson Short, shortc@kleinpark.com

Charles Gibson Short, piersonj@kleinpark.com

Charles Gibson Short, Harriss@kleinpark.com
Darrin Blake Gursky, darrin@grcondolaw.com
Darrin Blake Gursky, melissa@grcondolaw.com
Darrin Blake Gursky, assistant@grcondolaw.com
JEFFREY P SHAPIRO, JPS@SHAPIRORAMOS.COM
JEFFREY P SHAPIRO, KN@SHAPIRORAMOS.COM
JEFFREY P SHAPIRO, jr@shapiroramos.com
John Cody German, cody.german@csklegal.com
John Cody German, nicolle.quant@csklegal.com
Laritz Orozco, orozcol@kleinpark.com
Marnie Dale Ragan, marnie@grcondolaw.com
Marnie Dale Ragan, melissa@grcondolaw.com
Marnie Dale Ragan, assistant@grcondolaw.com
Marnie Dale Ragan, marnie@grcondolaw.com
Marnie Dale Ragan, melissa@grcondolaw.com
Marnie Dale Ragan, tiffany@grcondolaw.com
Robert M Klein, kleinr@kleinpark.com
Robert M Klein, piersonj@kleinpark.com
Robert M Klein, carrillom@kleinpark.com

Physically Served: