
**IN THE DISTRICT COURT OF APPEAL
FOR THE THIRD DISTRICT OF FLORIDA**

Case No. 3D23-1310
L.C. Case No.: 2012-42957-CA-44

CAPITAL BUILDING, LLC, and
SPARTAN LENDING, LLC

Appellants,

v.

FORTUNE OCEAN, LLLP, OCEAN RESIDENCES GP, LLC, FORTUNE
INTERNATIONAL MANAGEMENT, INC., and EDGARDO DEFORTUNA,

Appellees.

APPELLANTS' STATUS REPORT
PURSUANT TO THE COURT'S APRIL 1, 2024 ORDER

Appellants Capital Building, LLC and Spartan Lending, LLC respectfully submit this Status Report pursuant to the Court's April 1, 2024 Order, wherein the Court relinquished jurisdiction to the trial court for fifteen (15) days to allow the parties to obtain a final, appealable order with respect to the June 23, 2023 order granting Appellees' summary judgment motion, and the June 6, 2021 interlocutory order dismissing a complaint without prejudice. As of the date of this Status Report, a proposed final judgment has been submitted to the trial court for entry, and remains pending entry.

On April 8, 2024 and April 9, 2024, the parties conferred with respect to the proposed final judgment. On April 10, 2024, the proposed final judgment was submitted to the trial court for consideration and entry. On April 14, 2024, the trial court rejected the proposed final judgment and requested further context and explanation as to why the proposed final judgment was being submitted while the appeal was pending. On April 15, 2024, counsel for Appellees drafted a letter explaining the need for the final judgment, the context of why the final judgment was now being submitted, as well as informing the trial court of the relinquishment of jurisdiction for the entry of the proposed final judgment. Additionally, a copy of this Court's April 1, 2024 Order was provided to the trial court in an effort to provide additional context and explanation for the request.

The parties await the trial court's acceptance and issuance of the proposed final judgment, which they expect is imminent now that the additional information and context requested by the trial court has been provided. Accordingly, Appellants respectfully submit that this Court should consider extending the trial court's jurisdiction by ten (10) days to allow sufficient opportunity for the trial court to review the additional information submitted and enter the proposed final judgment submitted.

Respectfully submitted,

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CERTIFICATE OF COMPLIANCE

I certify that this brief was composed and printed in 14-point Arial font, and is in compliance with the font requirements set forth in Florida Rule of Appellate Procedure 9.210.

/s/ Nicholas M. Vicente

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished via email on April 16, 2024 to:

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