

IN THE DISTRICT COURT OF APPEAL OF FLORIDA
THIRD DISTRICT

CASE NO.: 3D23-1310

L.T. CASE NO.: 12-42957 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.

_____/

**APPELLEES' MOTION FOR EXTENSION OF TIME TO FILE A
RESPONSE TO APPELLANTS' MOTION FOR REHEARING,
CLARIFICATION, WRITTEN OPINION AND CERTIFICATION**

Appellees FORTUNE OCEAN, LLLP (“Fortune Ocean”), OCEAN RESIDENCES GP, LLC (“Ocean Residences”), FORTUNE INTERNATIONAL MANAGEMENT, INC. (“FIM”) and EDGARDO DEFORTUNA (collectively, “Appellees”), by and through undersigned counsel, hereby move for an extension of time to file a Response to

Appellants' Motion for Rehearing, Clarification, Written Opinion and Certification. In support of this Motion, Appellees state as follows:

1. On July 10, 2024, this Court issued a *per curiam* opinion affirming the circuit court's judgment in favor of Appellees in all respects.

2. On August 8, 2024, Appellants filed their Motion for Rehearing, Clarification, Written Opinion and Certification.

3. Pursuant to Florida Rule of Appellate Procedure 9.330(a)(3), Appellees' Response to this Motion is due on August 23, 2024.

4. Due to the press of other matters, including but not limited to an appellate brief due in the United States Court of Appeals for the Eleventh Circuit on August 26, 2024, counsel for the Appellees respectfully requests a 10-day extension of time through September 3, 2024, in which to file its Response to Appellants' Motion for Rehearing, Clarification, Written Opinion and Certification.

5. Counsel for Appellees has conferred with counsel for Appellants regarding the requested extension of time and certifies that Appellants have no objection to the relief requested.

WHEREFORE, Appellees respectfully request that this Court enter an Order extending the deadline for Appellees to respond to Appellants' Motion for Rehearing, Clarification, Written Opinion and Certification through September 3, 2024, and for such other relief as the Court deems just and proper.

Respectfully submitted,

COFFEY BURLINGTON, P.L.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing document has been furnished by the Florida Courts eFiling Portal pursuant to Fla. R. Jud. Admin. 2.516(b)(1), on August 16, 2024, to:

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