

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

CASE NO. 3D2024-1388
Lower Tribunal No.: 17-22389-CA-01

THE K COMPANY REALTY, LLC, etc.

Appellants,

v.

MICHAELS INVESTMENT GROUP,
CORP., etc., et al.,

Appellee.

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MOTION TO CONSOLIDATE

COMES NOW, Appellant, THE K COMPANY REALTY, LLC, by and through undersigned counsel, and pursuant to Florida Rule of Appellate Procedure 9.300, files this Motion to Consolidate the subject appeal with Case No. 3D2024-2008, and as grounds therefore states as follows:

1. This matter and case number 3D2024-2008 arise out of the same trial court proceedings, concern the same parties, and address related issues. Additionally, both appellate matters rely on the same record and underlying facts.

2. More specifically, both appellate matters are before this Court on appeal from the trial court's order entering final summary judgment against, *inter alia*, The K Company Realty, LLC and Piquet Realty, LLC and in favor of Appellees, Michaels Investment Group, Corp., The Keyes Company, Anthony De La Hoz, and Alejandro J. Aguirre. The trial court found The K Company Realty, LLC and Piquet Realty, LLC to be jointly and severally liable to Appellees based on the same or similar grounds.
3. Additionally, both The K Company, LLC and Piquet Realty, LLC seek to challenge on appeal the trial court's refusal to set aside default judgments entered against both parties.
4. The appealed decisions in this matter and in case number 3D2024-2008 arise from the same trial court proceeding, rely on the same or similar record materials, and raise the same or similar arguments on appeal. Further, the parties to both appellate matters are identical.
5. Appellant thus requests that this matter and case number 3D2024-2008 be consolidated for all purposes so that both appellate matters share the same record and appellate panel and the respective parties need only file a single initial brief, a single answer brief, and a single reply brief.

6. Consolidating the two appellate matters for all purposes will serve the purposes of judicial economy and reaching consistent results on points of law involving same or similar facts.

CERTIFICATE OF CONFERRAL

Counsel for Appellant has consulted counsel for Appellees, Douglas F. Eaton, Esquire, and is authorized to represent that Mr. Eaton has no objection to the subject Motion to Consolidate.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing is being served via e-mail through the Florida e-portal system to: **William J. Anderson, Esq.**, William J. Anderson, P.A., 101 NE 3rd Avenue, Suite 1500, Fort Lauderdale, FL 33301 at bill@williamanderson.biz; **Joshua D. Fuller, Esq.**, Fuller Lawyers, P.A., 1135 Kane Concourse, 3rd Floor, Bay Harbor Islands, FL 33154 at jfuller@fullerlawyers.com; **Jeffrey P. Shapiro, Esq.**, Shapiro Ramos, a professional association, 19 West Flagler Street, Suite #516, Miami, FL 33130 at jps@shapiroramos.com; mr@shapiroramos.com; jr@shapiroramos.com; and jpshapirolaw@gmail.com; **Jorge L. Fors, Esq.**, Fors, Attorneys at Law, 1108 Ponce de Leon Blvd., Coral Gables, FL 33134 at info@forslegal.com; jfors@forslegal.com; lposch@fullerlawyers.com; and

service@forslegal.com; **Michael Lascelle, Esq.** and **Jeff Greenhaus, Esq.**, Michael Lascelle, P.A., 777 Brickell Avenue, Suite 500, Miami, FL 33131 at michaellascelle@msn.com and jeff.greenhaus@gmail.com; **Mark G. DiCowden, Esq.**, Mark G. DiCowden, P.A., 1500 E. Law Olas Blvd., Suite 202, Fort Lauderdale, FL 33301 at mgd@dicowdenlaw.com and service@dicowdenlaw.com; **Andy R. Hernandez, Esq.**, Hernandez Law, P.L., 4810 SW 72nd Ave., Miami, FL 33155 at andy@arhlegal.com and paralegal@arhlegal.com; **Michael A. Vera, Esq.** and **Emily G. Romano, Esq.**, The Vera Law Group, P.O. Box 33082-0092, Pembroke Pines, FL 33082-0092 at mike@veralawgroup.com; emily@veralawgroup.com; admin@veralawgroup.com; and service@veralawgroup.com; **James R. Myers, Esq.**, Chartwell Law, 12486 Brantley Commons Court, Fort Myers, FL 33907 at jmyers@chartwelllaw.com; jteitelbaum@chartwelllaw.com; and wpruneda@chartwelllaw.com; and **Douglas F. Eaton, Esq.**, Eaton & Wolk, P.L., 2665 S. Bayshore Drive, Suite 609, Miami, FL 33133 at deaton@eatonwolk.com and cgarcia@eatonwolk.com; on this **13th day of November, 2024.**

Counsel for Appellant, The K Company Realty,
LLC
Walton Lantaff Schroeder & Carson LLP
6700 North Andrews Avenue, Suite 404

Fort Lauderdale, FL 33309
Telephone: (954) 463-8456
Facsimile: (786) 693-8333

By: /s/ Sara S. Cromer
SARA S. CROMER, ESQUIRE
Florida Bar No.: 59479
Primary Email: scromer@waltonlantaff.com
Secondary Email: dingram@waltonlantaff.com