

# Third District Court of Appeal

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No. 3D2023-0793  
Lower Tribunal No. 20-26469

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**Wal-Mart Stores East, LP,**  
Appellant,

vs.

**Elida Maria Garcia Pineda,**  
Appellee.

## **NOTICE OF ORAL ARGUMENT**

The above-styled cause will be set for oral argument on **WEDNESDAY, JANUARY 22, 2025, at 9:30 A.M.**, before the Third District Court of Appeal, which is located at 2001 S.W. 117 Avenue, Miami, Florida 33175-1716.

**All counsel and self-represented parties (if applicable) who will appear to argue this cause before the Court must complete and return the attached Notice of Acknowledgment within seven (7) days of this Notice.** The parties will be allowed **fifteen (15) minutes per side** to present their arguments.

**PLEASE NOTE THIS NOTICE AND THE ATTACHED ACKNOWLEDGEMENT FORM HAVE CHANGED. PLEASE READ CAREFULLY.**

**THE PARTIES MAY SELECT IN-PERSON OR REMOTE APPEARANCE. COUNSEL (AND SELF-REPRESENTED PARTIES, IF APPLICABLE) MUST CONFER AND SEEK AGREEMENT UPON THE METHOD OF APPEARANCE (IN-PERSON OR REMOTE) PRIOR TO**

**COMPLETING AND RETURNING THE ATTACHED NOTICE OF ACKNOWLEDGEMENT FORM.**

Upon receipt of the acknowledgement form, the Court shall send out a notice of in-person (if all parties agree to appear in-person), remote (if all parties agree to appear remotely), or hybrid (if one or more parties will appear in-person, but other(s) will appear remotely) oral argument.

**It is your responsibility to contact the Clerk's office if you do not receive a notice reflecting the specific date and time for oral argument 7 days before the week specified above.**

**If this is a criminal appeal, in compliance with Marsy's Law, the State of Florida is hereby directed to provide notice of this oral argument to the victims, as defined by Marsy's Law.**

The Court reserves the right to remove the case from the oral argument calendar at any time before the date of oral argument. Additionally, the Court reserves the right to change the date, time, and method of appearance of the oral argument. Please review any amended or updated notice carefully.

Similar or related cases should be brought to the attention of the Oral Argument Clerk at (305) 229-3200 ext. 3258. Absence of counsel at the time this case is called shall be deemed a waiver of oral argument.

By direction of the Court this 25th day of November 2024.

Mercedes M. Prieto  
Clerk of Court

cc: Sydney Feldman D'Angelo  
Gregory Deutch  
Andrew A. Harris  
Jack Roy Reiter  
Grace Mackey Streicher  
Stephanie H. Vo  
Eric Matthew Yesner  
RP

**NOTICE OF ACKNOWLEDGMENT**  
**PLEASE SIGN AND RETURN IF YOU ARE ARGUING**

Within seven (7) days, counsel, or, as applicable, a self-represented party must e-file or return the completed, signed form to:

Clerk, District Court of Appeal, Third District  
2001 S. W. 117th Avenue  
Miami, Florida 33175-1716

Please print or type the name and information **only for the attorney or, as applicable, self-represented party, who will appear to argue the case.** If you are not arguing, you do not need to fill out this form. If more than one person will appear for a party, you may reproduce this form and file additional Notices as needed. **Please note that all dates and times are subject to change in the Court's discretion.**

Case No. 3D \_\_\_\_\_

COUNSEL'S NAME: \_\_\_\_\_

FIRM: \_\_\_\_\_

COUNSEL FOR: \_\_\_\_\_

EMAIL: \_\_\_\_\_

PHONE NO: \_\_\_\_\_

**YOU MUST SELECT YOUR METHOD OF APPEARANCE, AS SET FORTH BELOW, CONFIRM WHETHER ALL PARTIES AGREE OR DISAGREE ON THE METHOD OF APPEARANCE, AND SIGN ON THE NEXT PAGE:**

\_\_\_\_ 1. I hereby acknowledge receipt of the Notice of Oral Argument setting this cause on the oral argument calendar during the week of \_\_\_\_\_ **AND I CONFIRM THAT I AM APPEARING IN PERSON.**

\_\_\_\_ 2. I hereby acknowledge receipt of the Notice of Oral Argument setting this cause on the on the oral argument calendar during the week of \_\_\_\_\_ **AND I REQUEST TO APPEAR REMOTELY VIA ZOOM.**

**I CONFIRM THAT PRIOR TO SIGNING AND RETURNING THIS FORM I HAVE CONFERRED OR MADE GOOD FAITH ATTEMPTS TO CONFER WITH ALL COUNSEL OR PARTIES IN THIS CASE TO DETERMINE IF WE CAN ALL AGREE TO APPEAR IN PERSON OR REMOTELY.**

**PLEASE SELECT ONE OF THE OPTIONS BELOW:**

\_\_\_\_\_ WE AGREE ON THE SAME METHOD OF APPEARANCE

\_\_\_\_\_ WE AGREE THAT WE WILL EACH USE A DIFFERENT METHOD OF APPEARANCE

\_\_\_\_\_ WE ARE UNABLE TO REACH AGREEMENT ON THE METHOD OF APPEARANCE

**IF WE AGREE, MY SELECTION ABOVE IS CONSISTENT WITH OUR AGREEMENT. IF WE DO NOT AGREE, MY SELECTION ABOVE IS CONSISTENT WITH MY STATED POSITION.**

**I UNDERSTAND THAT IF WE DO NOT ALL AGREE ON IN-PERSON OR REMOTE ARGUMENT, THIS MAY BE SET AS A HYBRID ARGUMENT IN WHICH CASE THE PARTIES WILL APPEAR IN THE MANNER DESIGNATED ON THIS FORM.**

**I UNDERSTAND THAT IF I REQUEST TO APPEAR REMOTELY VIA ZOOM, LOG-IN INFORMATION WILL BE SENT SEPARATELY.**

By:

\_\_\_\_\_  
Signature

**IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS NEEDING A SPECIAL ACCOMMODATION TO PARTICIPATE IN PROCEEDINGS AT THE THIRD DISTRICT COURT OF APPEAL SHOULD NOTIFY THE MARSHAL, VERONICA ANTONOFF, 2001 S.W. 117 AVENUE, MIAMI, FL 33175; TELEPHONE (305) 229-3200; OR 1-800-955-8771 (TDD); OR 1-800-955-8770 (V), VIA FLORIDA RELAY SERVICES**

## **NOTICE**

**In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in proceedings at the Third District Court of Appeal should notify the Marshal, Veronica Antonoff, 2001 S.W. 117<sup>th</sup> Avenue, Miami, FL 33175; telephone (305) 229-3200, or 1-800-955-8771 (TDD); or 1-800-955-8770 (V), via Florida Relay Services.**

**IF YOU NEED AN INTERPRETER:** Oral arguments are conducted in English and, with very limited exceptions as set forth in Fla. R. Jud. Admin. 2.560(b), the Court does not provide interpreters to litigants. It is the litigant's responsibility to provide an interpreter, if necessary. The interpreter may be either a family member or friend.

**EN CASO QUE NECESITE UN INTERPRETE:** Los alegatos orales se llevan a cabo en inglés con número muy limitado de excepciones; tal como lo establecen los Reglamentos de la Administración Jurídica del Estado de la Florida No. 2.560(b). Los tribunales no proporcionan interpretes a los litigantes y es la responsabilidad del litigante el proporcionar su propio interprete en caso que éste fuese necesario. El litigante puede utilizar un familiar o una amistad como interprete.

**SI OU BEZWEN YON INTÈPRÈT:** Prosè yo nan tribunal la fè sèlman an Anglè, epi men lè gen kèk ti eksepsyon ke la lwa Fla. R. Jud. Admin. 2.560(b) bay, Tribunal la pa bay intèprèt pou moun ki vini plede ka yo. Se responsabilite moun ki vin plede a pou vini avèk intèprèt li, si sa nesesè. Intèprèt la gen dwa nenpòt fanmi oswa yon zanmi.