



DESANTIS, GASKILL, SMITH & SHENKMAN, P.A.

CONRAD J. DESANTIS

Business & Real Estate
Also Admitted in Pennsylvania

TIMOTHY W. GASKILL

Business, Probate
Family Litigation

DONALD R. SMITH

Personal Injury & Wrongful Death
Commercial Litigation

CURTIS L. SHENKMAN

Board Certified
Real Estate Attorney

BROOKE A. GROGAN

Personal Injury & Litigation

ATTORNEYS & COUNSELORS AT LAW

ESTABLISHED 1973

11891 U.S. HIGHWAY ONE, SUITE 100
NORTH PALM BEACH, FLORIDA 33408

TELEPHONE (561) 622-2700 FACSIMILE (561) 622-2841

www.LawPalmBeach.com

LEGAL ASSISTANTS

CIVIL TRIAL, PROBATE
AND FAMILY LAW

KAREN M. B. LOPATOSKY
SENIOR PARALEGAL
MINDY VASSER, SECRETARY

PERSONAL INJURY

ROBIN B. MODLIN, CP
TERRI L. VLASSICK

REAL ESTATE

JUDY D. MONTEIRO
DENISE B. PAOLUCCI

ADMINISTRATOR

CURTIS L. SHENKMAN

January 6, 2015

Loxahatchee River Environmental Control District
D. Albrey Arrington, Exec. Dir. and Board Members
2500 Jupiter Park Drive
Jupiter, FL 33458

RE: PENDING LITIGATION STATUS REPORTS

Dear Board Members:

We are enclosing herewith a brief status report relating to all litigation in which the Loxahatchee River Environmental Control District is presently involved. This status report updates the last monthly status report previously submitted and consists of a summary of the record proceedings which have occurred in each of the pending cases since last month.

There are no analyses of the pending cases included, as the inclusion of such items might constitute a waiver of any attorney/client privilege that exists between our firm and the District. Therefore, if you would like to discuss the particulars of any specific case in more detail or would like to obtain more information concerning the strategy, status, or settlement posture of any of the individual cases, please feel free to contact me.

As always, we are available at any time to discuss any of these lawsuits with each individual Board Member by telephone or by conference, if there are any questions.

Respectfully submitted,

/s/ Timothy W. Gaskill

TIMOTHY W. GASKILL

/kmb

Attachments

cc: Curtis L. Shenkman, Esquire

OTHER LITIGATION

ACTION: In Re Estate of Israel Marquez et al ...Loxahatchee River Envir Control District
Owner: Estate of Israel Marquez **Property:** 911 Hawie St.
Case No. 50-2014-CP-004006XXXXSBIY

TYPE OF ACTION: Mortgage Foreclosure by Lender, Encon named for its (possible) lien interest –
COMMENCEMENT: Service of Summons/Petition
COMMENTS: Action foreclosing mortgage– Encon named for lien interest
STATUS: Pending

11/24/14	District served with Petition re Homestead and Real Property as Estate Asset; Filed Answer and Affirmative Defenses; Hearing to be held
12/10/14-1/6/15	No change in status

LIEN FORECLOSURES

NONE

MORTGAGE FORECLOSURES / ENCON CROSSCLAIMS (continued)

ACTION: Bank of NY/Mellon et al ...Loxahatchee River Envir Control District
Owner: Jupiter Village Town Homes COA **Property:** 113 Sherwood Crl, #25A
Case No. 50-2014-CA-008769XXXXMBAW

TYPE OF ACTION: Mortgage Foreclosure by Lender, Encon named for its (possible) lien interest –
COMMENCEMENT: Service of Summons/Complaint upon District
COMMENTS: Action foreclosing mortgage– Encon named for lien interest
STATUS: Pending

8/7/14	Mortgage foreclosure action; District served with Complaint; Notice of Appearance; Designation of Email addresses filed; Answer, Affirmative Defenses and Counterclaim/Crossclaim to be filed
9/9/14	Answer, Affirmative Defenses and Counterclaim/Crossclaim Complaint filed; parties being served
10/14/14	Case in discovery stages.
11/11/14	No change in status
12/10/14	Making demand upon Plaintiff for settlement in lieu of District's foreclosure of mortgage interest
1/6/15	Motion for Default against CounterDefendant, Bank N.Y., and Cross Defendant Jupiter Village TownHomes COA being filed for failure to file any response to District's Counterclaim Complaint

ACTION: Antigua at Town Center HOA v Diane L. Ryan et al ...Loxahatchee River Envir Control District
Owner: Diane L. Ryan **Property:** 1526 Corbison Point Place
Case No. 50-2014-CA-012271XXXXMBAW

TYPE OF ACTION: Mortgage Foreclosure by Lender, Encon named for its (possible) lien interest –
COMMENCEMENT: Service of Summons/Complaint upon District
COMMENTS: Action foreclosing mortgage– Encon named for lien interest
STATUS: Pending

11/11/14	Mortgage foreclosure action; District served with Complaint; Notice of Appearance; Designation of Email addresses filed; Answer, Affirmative Defenses and Counterclaim/Crossclaim to be filed
12/10/14	Defendant Ryan requested extension for answer; Awaiting Order for 20 days extension
1/6/15	Discovery stages; hearing on Ryan's Motion for Extension pending; proposed Agreed Order pending

MORTGAGE FORECLOSURES / ENCON CROSSCLAIMS (continued)

ACTION: Bank of NY/Mellon et al ...Loxahatchee River Envir Control District
Owner: Maria I Perez /Xiomar Cepero **Property:** 6716/6718 3rd St.
Case No. 50-2014-CA-0011991XXXXMBAW

TYPE OF ACTION: **Mortgage** Foreclosure by Lender, Encon named for its (possible) lien interest –

COMMENCEMENT: Service of Summons/Complaint upon District

COMMENTS: Action foreclosing mortgage– Encon named for lien interest

STATUS: **Pending**

11/11/14	Mortgage foreclosure action; District served with Complaint; Notice of Appearance; Designation of Email addresses filed; Answer, Affirmative Defenses and Counterclaim/Crossclaim to be filed
12/10/14	Answer, Affirmative Defenses and Counterclaim/Crossclaim filed; service of process being made on counter and cross defendants
1/6/15	Discovery stages, Plaintiff's counsel indicated payment will be made in settlement of counterclaim for District's superior liens