

**CASES FOR ORAL ARGUMENT**  
**MONDAY, MAY 4, 2009 – 9:00 A.M.**  
**EN BANC**

**----- Case #1 -----**

**JOHN RICHARD MAREK v. STATE OF FLORIDA**  
**CASE NO. SC09-765**  
**BROWARD COUNTY**

Appearance for Appellant:

Martin J. McClain of McClain & McDermott, Wilton Manors, 305-984-8344

Appearance for Appellee:

Carolyn M. Snurkowski, Asst. Atty. General, Tallahassee, 850-414-3300

(3.851 APPEAL - MAXIMUM OF TWENTY MINUTES TO THE SIDE)

**----- Case #2 -----**

**WALTER A. MCNEIL, ETC. v. EDISON CANTY**  
**CASE NO. SC08-2369**

Appearance for Petitioner:

Carolyn J. Mosley, Tallahassee, 850-414-3300

Appearance for Respondent:

Nicholas A. Shannin of Page, Eichenblatt, Bernbaum & Bennett, Orlando, 407-386-1900; and  
William R. Ponall of Kirkconnell, Lindsey, Snure & Yates, P.A., Winter Park, 407-644-7600

(MAXIMUM OF TWENTY MINUTES TO THE SIDE)

**\*PLEASE NOTE THAT ONLY THE NAMES OF THE ATTORNEYS WHO HAVE INDICATED THEY  
WILL PARTICIPATE IN ORAL ARGUMENT APPEAR ON THE ORAL ARGUMENT CALENDAR.**

**CASES FOR ORAL ARGUMENT**  
**TUESDAY, MAY 5, 2009 – 9:00 A.M.**  
**EN BANC**

----- Case #1 -----

**IN RE: AMENDMENTS TO THE FLORIDA RULES OF JUDICIAL  
ADMINISTRATION, THE FLORIDA RULES OF JUVENILE PROCEDURE, AND THE  
FLORIDA RULES OF APPELLATE PROCEDURE - IMPLEMENTATION OF THE  
COMMISSION ON DISTRICT COURT OF APPEAL PERFORMANCE AND  
ACCOUNTABILITY RECOMMENDATIONS**  
**CASE NO. SC08-1724**

Appearance for Proponents:

David Silverstein, Chair, Juvenile Procedure Rules Committee, Tampa, 813-272-0407  
Katherine E. Giddings for Rules of Judicial Administration Committee,  
Tallahassee, 850-224-9634  
John S. Mills, Chair, Appellate Court Rules Committee, Jacksonville, 904-350-0075; and  
Thomas Wade Young for the Statewide Guardian ad Litem Program, Winter Park, 407-422-5166

Appearance for Opponents:

Anthony C. Musto for the Florida Department of Children and Families, Hallandale Beach,  
954-336-8575; and  
William W. Booth for the Legal Aid Society of Palm Beach County, West Palm Beach,  
561-655-8944

(MAXIMUM OF FORTY MINUTES ALLOCATED FOR ORAL ARGUMENT)

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WILL PARTICIPATE IN ORAL ARGUMENT APPEAR ON THE ORAL ARGUMENT CALENDAR.**

**CASES FOR ORAL ARGUMENT**  
**TUESDAY, MAY 5, 2009 – 9:00 A.M.**  
**EN BANC**

----- **Case #2** -----

<b>TIMOTHY LEE HURST v. STATE OF FLORIDA</b> <b>CASE NO. SC07-1798</b> <b>ESCAMBIA COUNTY</b>
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Appearance for Appellant:

Jeffrey M. Hazen of Brody & Hazen, P.A., Tallahassee, 850-942-0005

Appearance for Appellee:

Stephen R. White, Asst. Atty. General, Tallahassee, 850-414-3300

(3.851 APPEAL - MAXIMUM OF TWENTY MINUTES TO THE SIDE)

----- **Case #3** -----

<b>HERMAN LINDSEY v. STATE OF FLORIDA</b> <b>CASE NO. SC07-1167</b> <b>BROWARD COUNTY</b>
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Appearance for Appellant:

Jeffrey L. Anderson, Asst. Public Defender, West Palm Beach, 561-355-7600

Appearance for Appellee:

Leslie T. Campbell, Asst. Atty. General, West Palm Beach, 561-837-5000

(INITIAL APPEAL - MAXIMUM OF THIRTY MINUTES TO THE SIDE)

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**CASES FOR ORAL ARGUMENT  
TUESDAY, MAY 5, 2009 – 9:00 A.M.  
EN BANC**

**----- Case #4 -----**

**THE FLORIDA BAR v. GERALD JOHN D'AMBROSIO  
CASE NO. SC07-1369  
and  
THE FLORIDA BAR v. GERALD JOHN D'AMBROSIO  
CASE NO. SC08-256**

Appearance for Complainant:

Lorraine C. Hoffman, Bar Counsel, Fort Lauderdale, 954-772-2245

Appearance for Respondent:

Gerald John D'Ambrosio, Boca Raton, 561-750-9924

(TWO CONSOLIDATED CASES - MAXIMUM OF FIFTEEN MINUTES TO THE SIDE AS CONSOLIDATED)

**\*PLEASE NOTE THAT ONLY THE NAMES OF THE ATTORNEYS WHO HAVE INDICATED THEY WILL PARTICIPATE IN ORAL ARGUMENT APPEAR ON THE ORAL ARGUMENT CALENDAR.**

**CASES FOR ORAL ARGUMENT**  
**WEDNESDAY, MAY 6, 2009 – 9:00 A.M.**  
**EN BANC**

----- **Case #1** -----

<b>INQUIRY CONCERNING A JUDGE NO. 05-437</b> <b>RE: CLIFFORD H. BARNES</b> <b>CASE NO. SC06-2119</b>
Honorable Clifford H. Barnes, County Court Judge, Fort Pierce, 561-686-2700
(PUBLIC REPRIMAND)

----- **Case #2** -----

<b>LOUIS R. MENENDEZ, JR., ET AL. v. PROGRESSIVE EXPRESS INSURANCE CO.,</b> <b>INC.</b> <b>CASE NO. SC08-789</b> <b>MONROE COUNTY</b>
<u>Appearance for Petitioner:</u> Robert C. Tilghman of Robert C. Tilghman, PA, Miami, 305-381-8806; and Nathan E. Eden of Eden & Cates, P.L., Key West, 305-294-5588
<u>Appearance for Respondent:</u> Douglas H. Stein of Anania, Bandklayder, Baumgarten, Torricella & Stein, Miami, 305-373-4900
(MAXIMUM OF TWENTY MINUTES TO THE SIDE)

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**CASES FOR ORAL ARGUMENT**  
**WEDNESDAY, MAY 6, 2009 – 9:00 A.M.**  
**EN BANC**

----- **Case #3** -----

**RONNIE FERRELL v. STATE OF FLORIDA**  
**CASE NO. SC07-92**  
**and**  
**RONNIE FERRELL v. WALTER A. MCNEIL, ETC.**  
**CASE NO. SC07-1447**  
**DUVAL COUNTY**

Appearance for Appellant/Cross-Appellee:

Rick Sichta and

Frank J. Tassone of Tassone and Sichta, LLC, Jacksonville, 904-396-3344

Appearance for Appellee/Cross-Appellant:

Meredith Charbula, Asst. Atty. General, Tallahassee, 850-414-3300

(3.851 APPEAL AND PETITION FOR WRIT OF HABEAS CORPUS - MAXIMUM OF  
TWENTY MINUTES TO THE SIDE)

**Justice Canady recused**

----- **Case #4** -----

**HOWARD CURD, ET AL. v. MOSAIC FERTILIZER, LLC**  
**CASE NO. SC08-1920**  
**HILLSBOROUGH COUNTY**

Appearance for Petitioner:

F. Wallace Pope, Jr. of Johnson, Pope, Bokor, Ruppel & Burns, LLP, Clearwater, 727-461-1818

Appearance for Respondent:

David Barnett Weinstein of Greenberg Traurig, P.A., Tampa, 813-518-5700

(MAXIMUM OF TWENTY MINUTES TO THE SIDE)

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**CASES FOR ORAL ARGUMENT**  
**THURSDAY, MAY 7, 2009 – 9:00 A.M.**  
**EN BANC**

**NO CASES SCHEDULED**

**CASES FOR ORAL ARGUMENT  
FRIDAY, MAY 8, 2009 – 8:30 A.M.  
EN BANC**

**NO CASES SCHEDULED**