

IN THE SUPREME COURT OF FLORIDA

CASE NO.: SC06-2491

JEWS FOR JESUS, INC.,

Petitioner,

v.

EDITH RAPP,

Respondent.

**PETITIONER'S RESPONSE IN OPPOSITION TO RESPONDENT'S
MOTION TO ACCEPT HER RESPONSE TO MOTION TO SUPPLEMENT
THE RECORD AS TIMELY FILED**

Petitioner Jews for Jesus, Inc., by and through counsel and pursuant to Fla. R. App. P. 9.300, files this response in opposition to Respondent's motion to accept her untimely response to Petitioner's Motion to Supplement the Record out of time. Respondent's motion fails to comply with Fla. R. App. P. 9.300(a), requiring that every motion for extension of time "shall" contain a certificate that the movant's counsel has consulted opposing counsel about the motion. *Id.*

In addition, the only argument Respondent offers in support of her motion is the assertion that the secretary for Respondent's counsel failed to mail a hard copy of her response. *See* Respondent's Motion. Respondent cites no authority, and does not even attempt to demonstrate excusable neglect. Petitioner submits that

these grounds are insufficient as a matter of law, and Respondent's motion should be denied for both procedural and substantive reasons.

WHEREFORE, Petitioner respectfully requests that Respondent's motion to accept her untimely response in opposition to Petitioner's motion to supplement the record be denied, and for such other relief to which it may be entitled.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail, First Class delivery this 15th day of January, 2008, to the following:

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