

IN THE SUPREME COURT OF FLORIDA

PMI MORTGAGE INSURANCE  
COMPANY,

Petitioner,

v.

MARTIN D. KAHN

Respondent.

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CASE NO.: SC10-412

Lower Tribunal Case Numbers:  
3D09-65, 04-11093

**RESPONDENT'S BRIEF ON JURISDICTION**

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MARTIN D. KAHN

Respondent

Florida Bar No. 041059

9344 NW 48 Doral Terrace

Miami, FL 33178

305 477-3453

## **ARGUMENT**

The Petitioner has established no basis for discretionary jurisdiction by this court. Fla. R. App. P. 9.030(a)(2)(A) lists the criteria for such jurisdiction, and none of the reasons urged by the Petitioner apply. Although the Petitioner states in its Notice to Invoke Discretionary Jurisdiction that it is certified that the district court opinion is in conflict with decisions of other district courts' opinions, such certification was not declared to be so by the court as is required, but only by the Petitioner. Further, the Petitioner's Brief on Jurisdiction reargues what was presented below, and gives no legitimate grounds for consideration by this court.

The petition should be denied.

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of this Respondent's Brief on Jurisdiction was mailed on March 23, 2010, to Mark W. Rickard, Esq., Jacobson, Sobo & Moselle, P.O. Box 19359, Plantation, FL 33318.

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MARTIN D. KAHN  
Florida Bar No. 041059  
9344 NW 48 Doral Terrace  
Miami, FL 33178  
305 477-3453

## **CERTIFICATE OF COMPLIANCE**

I hereby certify that this Answer Brief is submitted in Times New Roman 14 point in compliance with the font requirement of Rule 9.210(a)(2) Fla R. App. P.

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Martin D. Kahn