

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO.: 23-CV-80820**

BOCA VIEW CONDOMINIUM
ASSOCIATION, INC.,

Plaintiff,

vs.

ELEANOR LEPSALTER and
EDWARD LEPSALTER,

Defendants.

**MOTION TO WITHDRAW AS COUNSEL FOR BOCA VIEW CONDOMINIUM
ASSOCIATION, INC., AND REQUEST FOR EXTENSION OF TIME**

John R. Sheppard, Jr., Esq., and the law firm of Fowler White Burnett, P.A. (collectively, "Fowler White"), moves this Court to withdraw as counsel for the Plaintiff, Boca View Condominium Association, Inc., ("Association"), and to have no further responsibility to represent the Association in this matter upon further order of this Court, and in support states as follows:

1. Fowler White presently represents the Association in the above-captioned matter.
2. Irreconcilable differences have arisen between the Association and Fowler White, preventing Fowler White from continuing to represent them.
3. As a result, Fowler White request permission with withdraw from representing the Association and further requests that Fowler White be relieved of all further responsibility in the representation.
4. The current mailing address for the Association is: 3600 S. Congress Avenue, Suite C, Attn: Eric Estebanez, LCAM, Boynton Beach, FL 33426.

5. Plaintiff has acquired new counsel to take over representation in this case but due to new counsels schedule cannot respond to the Rule 12 motion until July 14, 2023.

6. In addition to the above request to withdraw, the undersigned also requests that the Association be granted a brief extension of time to respond to Defendants Rule 12 Motion to Dismiss [DE 17] so that it may have adequate time to have new counsel appear and respond to the motion.

7. This motion is not filed for dilatory purposes.

WHEREFORE, Fowler White Burnett, P.A., requests that this Court: (1) enter an Order granting the withdrawal of John R. Sheppard, Jr., Esq., and Fowler White Burnett, P.A., as counsel of record for the Association, and relieving Fowler White Burnett, P.A., of all further responsibility in said representation; (2) grant the Association additional time to reply to Defendant's Rule 12 motion [DE 17] until July 14, 2023, (3) grant any other relief this Court deems just and proper.

Dated: June 30, 2023

FOWLER WHITE BURNETT
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By: /s/ John R. Sheppard, Esq.
John R. Sheppard, Esq.
Fla. Bar No. 867152

CERTIFICATE OF CONFERRAL CONFERENCE

Pursuant to Local Rule 7.1(a)(3), counsel for Plaintiff has conferred with Defendant's counsel (Christopher S. Salivar, Esq.) who: (1) consents to the undersigned's withdrawal request; and (2) does not consent to the extension of time request.

/s/ John R. Sheppard, Jr.

CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of June, 2023, a true and correct copy of the foregoing has been filed through the Court's CM/ECF filing portal and served this day on all counsel of record or pro se parties identified on the below service list in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically, Notices of Electronic Filing. that a true copy has been served through the portal upon all counsel of record in this action.

/s/ John R. Sheppard, Jr.
John R. Sheppard, Jr.

SERVICE LIST:

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Boynton Beach, FL 33426