

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, STATE OF FLORIDA
CIVIL DIVISION

NITRO MOBILE SOLUTIONS, LLC,
a Florida Limited Liability Corporation,

Plaintiff,

Case No. 17-CA-010953
Division J

v.

EYE C SOLUTIONS, LLC,
A Florida Limited Liability Corporation, and
LISA MONNET, an individual,

Defendants.

_____/

EYE C SOLUTIONS, LLC, and
LISA MONNET,

Counterclaim Plaintiffs,

v.

NITRO MOBILE SOLUTIONS, LLC,
PETE SLADE, and MOLLY SLADE,

Counterclaim Defendants.

_____/

**PLAINTIFF'S MOTION TO COMPEL DEPOSITION
OF LISA MONNET AND FOR SANCTIONS**

Plaintiff, Nitro Mobile Solutions, LLC (“Nitro Mobile”), through counsel and pursuant to Fla. Stat. 57.105(2), hereby requests an Order compelling the deposition of Lisa Monnet on a date certain and for sanctions relating to the unreasonable delay, costs and attorneys’ fees incurred in preparing for the scheduled and rescheduled depositions that Mrs. Monnet has failed to attend. As more fully shown below, Mrs. Monnet has shown a pattern of unreasonably

refusing to comply with her discovery obligations to have her deposition taken to the prejudice of Nitro Mobile.

1. Nitro filed suit against Defendants on December 7, 2017, for damages and indemnification via claims for declaratory judgment, breach of contract, fraud, and tortious interference, arising from Monnet's multiple fraudulent representations involving her past, and malicious and vindictive multi-week hoax and campaign she created to deceive, defraud and mislead the owners, employees, investors and advisory board of Nitro with the intent of causing irreparable damage (the "Complaint").

2. From the outset of this litigation, Mrs. Monnet has claimed repeated medical issues as a basis for delay.

3. First, Defendants informally requested, and were allowed by Nitro, a twenty (20) day enlargement of time to respond to the Complaint, based in part on alleged medical issues.

4. On December 18, 2018, Nitro Mobile requested a deposition date from Mrs. Monnet's counsel and proposed various dates for availability. *See* December 18, 2018, email attached hereto as **Exhibit A**.

5. In response to Nitro Mobile's request for deposition dates, Mrs. Monnet's counsel indicated that she could be deposed after February 19, 2018. *See* **Exhibit B**.

6. In a call between Nitro Mobile's counsel and Mrs. Monnet's counsel, it was agreed that Mrs. Monnet's deposition be scheduled for February 20, 2018, at 11 a.m.

7. On December 22, 2017, Nitro Mobile noticed the deposition of Mrs. Monnet for February 20, 2018. A true and correct copy of the Notice of Deposition is attached hereto as **Exhibit C**.

8. Before such twenty (20) day extension period elapsed for Mrs. Monnet to respond to the Complaint, Defendants filed a Motion for an Extension of Time on January 16, 2018, seeking additional time to respond from this Court, citing medical issues as a basis for delay.

9. Mrs. Monnet was unrepresented by counsel at the hearing before this Court on the Motion for Extension claiming a medical issue which would prevent her from timely responding to the Complaint as initially agreed and asked for additional time to respond.

10. In addition, on February 16, 2018, Mrs. Monnet again indicated via email that she also “would like to respectfully request a time extension. I have been out of town on a family emergency and only returned yesterday. Two weeks ago I learned a family member would be in surgery to amputate her right leg. She had excruciating pain in her leg, went to the ER, they discovered her femur had broken in half due to Stage 4 cancer. The cancer had destroyed her bone and tissue in her leg. They did a pet scan .. the cancer is in her leg and has metastasized to the lungs. The surgery was amputation of her right leg from the hip down.” *See Exhibit D.*

11. In response, Nitro Mobile indicated that it would agree to postpone such scheduled deposition based on such alleged medical issues.

12. When Mrs. Monnet retained new counsel, Nitro Mobile immediately requested deposition dates and indicated it wished to schedule Mrs. Monnet’s deposition in March. *See Exhibit E.*

13. In discussions with Mrs. Monnet’s counsel, it was agreed on March 20, 2018, that her deposition would be scheduled on May 15, 2018.

14. Accordingly, an Amended Notice of Taking Deposition was filed scheduling the deposition for May 15, 2018. *See Exhibit F.*

15. On May 14, 2018, the day before her rescheduled deposition, Mrs. Monnet's counsel contacted Nitro Mobile by phone in an attempt to again reschedule the deposition as a result of alleged cardiac/ medical issues that allegedly required her to be admitted to Manatee hospital.

16. Nitro Mobile indicated it did not believe the claim of a medical issue based on its past history with Mrs. Monnet as being untruthful with regard to her background, education, work history, (*see* Amended Complaint), and alleged medical issues and that it would proceed with filing a motion to compel scheduling and seek sanctions based on the repeated issues with seeking to schedule her deposition. *See Exhibit G.*

17. Nitro Mobile, however, indicated in such communications that it would agree not to conduct such a hearing if Mrs. Monnet appeared at a rescheduled deposition before the scheduled time for a hearing on the motion to compel and also proposed a new deposition date for Mrs. Monnet of May 20, 2018. *Id.*

18. On May 14, 2018, Mrs. Monnet's counsel provided further information and a handwritten note as support for the basis of Mrs. Monnet's inability to be deposed on May 15, 2018. *See Exhibit H.*

19. Notably, contrary to what was represented, Nitro Mobile is aware that Mrs. Monnet was not formally admitted to the hospital, was not suffering from and did not complain of any cardiac related issues on her visit, and was released from the hospital on May 14, 2018.

20. Nitro Mobile submits that Mrs. Monnet visited the emergency room complaining of alleged abdominal pain on the morning of May 14, 2018, in an effort to avoid her duly rescheduled deposition. On information and belief, no cardiology orders were issued as a result of her visit and Manatee hospital confirmed that Mrs. Monnet was not admitted to the hospital.

21. Nevertheless, based on Nitro Mobile's written request, Mrs. Monnet's counsel agreed to reschedule her deposition to Friday May 18, 2018. *See Exhibit I.*

22. Pursuant to the parties' agreement regarding rescheduling, Nitro Mobile filed an Amended Notice of Deposition of Mrs. Monnet's deposition for May 18, 2018. *See Exhibit J.*

23. On May 17, 2018, at approximately 11:00 am Mrs. Monnet's counsel called and emailed Nitro Mobile stating that there would be no deposition as rescheduled because Mrs. Monnet was "in no capacity to be deposed tomorrow and will therefore not be appearing for the deposition." *See Exhibit K.*

24. Further, as part of the communications indicating they would not move forward with the rescheduled deposition as agreed, Mrs. Monnet's counsel did not proposed any alternative dates for rescheduling the deposition, only that they would cooperate to schedule her deposition once "she has recovered." *See Id.*

25. Interestingly, Nitro Mobile was informed on May 16, 2018, that Mrs. Monnet had already scheduled a meeting with representatives of the Tampa Bay Defense Alliance at her home for 2:00 p.m. on May 18, 2018, to address issues with her former position with the TBDA and to return information.

26. Fla. Stat. § 57.105(2) provides that in a civil proceeding in which the moving party proves by a preponderance of the evidence that any action taken ... "was taken primarily for the purpose of unreasonable delay, the court **shall** award damages to the moving party for its reasonable expenses incurred in obtaining the order, which may include attorney's fees, and other loss resulting from the improper delay." *emphasis added.*

27. When a court finds that an action taken by a party was taken primarily for the purpose of unreasonable delay under Fla. Stat. § 57.105(2), costs may be included as part of

damages awarded as sanctions to the opposing party. *See In re Estate of Assimakopoulos*, 228 So.3d 709 (Fla. 2d DCA 2017).

28. In this matter, Mrs. Monnet and her counsel have repeatedly taken actions in bad faith that were primarily for the purpose of unreasonable delay to avoid the taking of her deposition. Such actions have caused Nitro Mobile to incur additional time, expense, costs, and attorneys' fees in connection with seeking to prosecute its claims.

29. Nitro Mobile has been seeking to take Mrs. Monnet's deposition since December of 2017, and has been thwarted at every opportunity via alleged medical issues, or otherwise, from Mrs. Monnet and her counsel.

30. Mrs. Monnet has asserted no credible, good cause for her repeated failures to comply with her discovery obligations to appear for her scheduled and rescheduled deposition based upon her fraudulent and untruthful claims of medical issues. Further, Mrs. Monnet has failed to comply with her discovery obligations to provide new proposed dates for her deposition, despite repeated cancellations based on alleged medical issues, in good faith.

31. Based on the foregoing, this Court should sanction Mrs. Monnet based upon her unreasonable delay and enter an Order for the deponent to be deposed on a date certain in Hillsborough County, Florida.

32. Should Mrs. Monnet again fail to appear for her scheduled deposition, in addition to additional sanctions under Fla. Stat. §57.105(2), the Court should entertain striking her affirmative defenses and her affirmative counterclaims.

WHEREFORE, Nitro Mobile hereby requests the entry of an Order compelling the deposition of Mrs. Monnet in Hillsborough County, Florida on a date certain, ordering Mrs. Monnet to reimburse the fees and costs reasonably expended in preparation and attendance at the

previously scheduled deposition, including court reporter and videographer costs, as well as the costs of drafting and arguing this Motion.

Signatures appear on next page

/s/ Dean A. Kent

DEAN A. KENT, ESQUIRE

Florida Bar No. 0307040

Primary email: dkent@trenam.com

Secondary email: pholliday@trenam.com

TRENAM, KEMKER, SCHARF, BARKIN

FRYE, O'NEILL & MULLIS, P.A.

2700 Bank of America Plaza

101 E. Kennedy Blvd.

Tampa, Florida 33602

Tel: (813) 223-7474

Fax: (813) 229-6553

Attorneys for Nitro Mobile Solutions, LLC,
Pete Slade and Molly Slade

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 17th day of May, 2018, counsel for Nitro Mobile Solutions, LLC electronically filed the foregoing with the Clerk of Court by using the Florida Courts E-Filing Portal System, which will send a notice of electronic filing and copy to the parties and counsel of record below:

LeesaAnn N. Dodds, Esquire
Samantha L. Dammer, Esquire
Tampa Law Advocates, P.A.
620 East Twiggs Street, Suite 110
Tampa, Florida 33602
ldodds@tampalawadvocates.com
sdammer@attysam.com
tbrewster@attysam.com
pkantner@tampalawadvocates.com

RE: Nitro Mobile Solutions, Inc. v. Eye-C Solutions, LLC/Lisa Monnet - Message (HTML) (Read-Only)

Message Adobe PDF


Manage E-Mail Management

Nitro Mobile Solutions, LLC v. Lisa Monnet:172875E-Mail

From: Dean A. Kent <DKent@trebam.com>
To: Yvette Everhart
Cc: 'Cynthia Sasser', Patricia A. Holliday
Subject: RE: Nitro Mobile Solutions, Inc. v. Eye-C Solutions, LLC/Lisa Monnet

File Delete Print Private Save Attachments

Sent: Mon 12/18/2017 2:21 PM



Ms. Everhart:

We wish to depose Mrs. Monnet as soon as possible to develop the facts in this matter while they are "fresh" in everyone's minds. As a result, we have cleared the last two weeks in January for the purpose of scheduling and conducting Mrs. Monnet's deposition. Any date from January 22nd to February 2nd is available for us to conduct such deposition at a location of your choice. Please advise if any of these ten (10) days is available for Mrs. Monnet's deposition.

If Mrs. Monnet and/or your office is not clear on any of those then (10) dates, please provide me with several alternative dates in writing during the first 2 weeks of February (February 5-16) for Mrs. Monnet's deposition. If we don't hear back from you with regard to availability or alternative dates for Mrs. Monnet's deposition before the end of business on December 21, 2017 (this Thursday), we will assume that all such proposed dates are available and issue a notice Mrs. Monnet for a deposition on **January 23, 2017**, at your firm's offices.

Thank you.

EXHIBIT A

From: Yvette Everhart [mailto:yeverhart@sasslawfirm.com]

Sent: Tuesday, December 19, 2017 4:28 PM

To: Dean A. Kent

Cc: Cynthia Sass; Patricia A. Holliday

Subject: RE: Nitro Mobile Solutions, Inc. v. Eye-C Solutions, LLC/Lisa Monnet

Dean,

Please give me a call to discuss the case. Regarding scheduling of her deposition, Ms. Monnet is unavailable the dates proposed as she will be traveling. She is available after February 19.
Sincerely,

Yvette D. Everhart, Esquire
Board Certified by The Florida Bar

Sass Law Firm
Labor & Employment Lawyers
601 W. Dr. Martin Luther King Jr. Blvd.
Tampa, Florida 33603
(813) 251-5599
(813) 259-9797 (facsimile)

EXHIBIT B

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, STATE OF FLORIDA
CIVIL DIVISION

NITRO MOBILE SOLUTIONS, LLC.,
a Florida Limited Liability Corporation,

Plaintiff,

Case No. 17-CA-010953
Division J

v.

EYE C SOLUTIONS, LLC,
A Florida Limited Liability Corporation, and
LISA MONNET, an individual,

Defendants.

NOTICE OF TAKING DEPOSITION

To:

Yvette D. Everhart, Esquire
Sass Law Firm
601 West Dr. Martin Luther King, Jr., Blvd.
Tampa, Florida 33603
Tel: 813-251-5599
Fax: 813-259-9797
Email: yeverhart@sasslawfirm.com

PLEASE TAKE NOTICE that Plaintiff, Nitro Mobile Solutions, LLC., pursuant to Fla. R. Civ. P. 1.310, will take the deposition upon oral examination of Lisa Monnet on February 20, 2018 at 11:00 a.m., before Patsy Halliday, or such other person duly authorized to administer oaths at the offices of Sass Law Firm, 601 West Dr. Martin Luther King, Jr., Blvd., Tampa, Florida 33603. The deposition is being taken for the purposes of discovery, for use at trial and for such other purposes as are permitted under the Florida Rules of Civil Procedure.

EXHIBIT C

The examination of the deponent may continue from day to day until completed or may be adjourned to be reconvened at such later date as may be established therefor by those in attendance at such deposition. You are invited to attend and cross-examine the witness.

PLEASE BE GOVERNED ACCORDINGLY.

I HEREBY CERTIFY that on the 22nd day of December, 2017, counsel for Nitro Mobile Solutions, LLC electronically filed the foregoing with the Clerk of Court by using the Florida Courts E-Filing Portal System, which will send a notice of electronic filing and copy to the parties and counsel of record above.

/s/ Dean A. Kent

DEAN A. KENT, ESQUIRE

Florida Bar No. 0307040

Primary email: dkent@trenam.com

Secondary email: pholliday@trenam.com

TRENAM, KEMKER, SCHARF, BARKIN

FRYE, O'NEILL & MULLIS, P.A.

2700 Bank of America Plaza

101 E. Kennedy Blvd.

Tampa, Florida 33602

Tel: (813) 223-7474

Fax: (813) 229-6553

Attorneys for Nitro Mobile Solutions, LLC

On Feb 16, 2018, at 9:27 AM, Lisa Monnet <monnet@evetsolutions.com> wrote:

Mr. Kent,

My understanding of the hearing with Judge Barbas was you were to cancel the deposition and reschedule at a later time. I have not seen a cancellation notice in the court documents.

I would like to respectfully request a time extension. I have been out of town on a family emergency and only returned yesterday. Two weeks ago I learned a family member would be in surgery to amputate her right leg. She had excruciating pain in her leg, went to the ER, they discovered her femur had broken in half due to Stage 4 cancer. The cancer had destroyed her bone and tissue in her leg. They did a pet scan... the cancer is in her leg and has metastasized to the lungs. The surgery was amputation of her right leg from the hip down.

I am making progress obtaining an Attorney. I met with a law group yesterday and have two meetings today with law groups. I am truly not trying to delay, I would like this taken care of as quickly as possible. I had family responsibilities and unusual circumstances that kept me in Alabama. If you will please extend a two week extension I would be thankful. That will give me adequate time to retain an Attorney and prepare the response.

Very respectfully,
Lisa Monnet
Mobile: 813.326.2620

EXHIBIT D

From: Dean A. Kent <DKent@trenam.com>
To: 'ldoddis@tampalawadvocates.com'
Cc: Patricia A. Holliday, 'lbrewster@atysam.com'
Subject: Nitro/Monnet - deposition scheduling

Sent: Mon 2/19/2018 4:21 PM

LeesaAnn:

I saw the Notice of Appearance you filed in the above-referenced litigation. Would you have some time in the next few days to discuss deposition scheduling? We previously set Mrs. Monnet's deposition with her prior counsel for February 20, 2018. We would like to set Mrs. Monnet's deposition in March.

EXHIBIT E

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, STATE OF FLORIDA
CIVIL DIVISION

NITRO MOBILE SOLUTIONS, LLC.,
a Florida Limited Liability Corporation,

Plaintiff,

Case No. 17-CA-010953
Division J

v.

EYE C SOLUTIONS, LLC,
A Florida Limited Liability Corporation, and
LISA MONNET, an individual,

Defendants.

EYE C SOLUTIONS, LLC, and
LISA MONNET,

Counterclaim Plaintiffs,

v.

NITRO MOBILE SOLUTIONS, LLC,
PETE SLADE, and MOLLY SLADE,

Counterclaim Defendants.

NOTICE OF TAKING DEPOSITION

To:

LeesaAnn N. Dodds, Esquire
Samantha L. Dammer, Esquire
Tampa Law Advocates, P.A.
620 East Twiggs Street, Suite 110
Tampa, Florida 33602
ldodds@tampalawadvocates.com
sdammer@attysam.com
tbrewster@attysam.com
pkantner@tampalawadvocates.com

EXHIBIT F

PLEASE TAKE NOTICE that Plaintiff, Nitro Mobile Solutions, LLC., pursuant to Fla. R. Civ. P. 1.310, will take the deposition upon oral examination of Lisa Monnet on May 15, 2018 at 9:30 a.m., before Patsy Halliday, or such other person duly authorized to administer oaths at the offices of Tampa Law Advocates, P.A., 620 East Twiggs Street, Suite 110, Tampa, Florida 33602. The deposition is being taken for the purposes of discovery, for use at trial and for such other purposes as are permitted under the Florida Rules of Civil Procedure.

The examination of the deponent may continue from day to day until completed or may be adjourned to be reconvened at such later date as may be established therefor by those in attendance at such deposition. You are invited to attend and cross-examine the witness.

PLEASE BE GOVERNED ACCORDINGLY.

I HEREBY CERTIFY that on the 20th day of March, 2018, counsel for Nitro Mobile Solutions, LLC electronically filed the foregoing with the Clerk of Court by using the Florida Courts E-Filing Portal System, which will send a notice of electronic filing and copy to the parties and counsel of record above.

/s/ Dean A. Kent

DEAN A. KENT, ESQUIRE

Florida Bar No. 0307040

Primary email: dkent@trenam.com

Secondary email: pholliday@trenam.com

TRENAM, KEMKER, SCHARF, BARKIN

FRYE, O'NEILL & MULLIS, P.A.

2700 Bank of America Plaza

101 E. Kennedy Blvd.

Tampa, Florida 33602

Tel: (813) 223-7474

Fax: (813) 229-6553

Attorneys for Nitro Mobile Solutions, LLC

From: Dean A. Kent <DKent@trenam.com>
To: ldodds@tampalawadvocates.com; brandy@tampalawadvocates.com; plankner@tampalawadvocates.com
Cc: Patricia A. Holliday
Subject: Nitro/Monnet - 5/18/18 rescheduling?

Sent: Tue 5/15/2018 12:48 PM



Ms. Dodds:

As I indicated on the phone yesterday, we will be filing a motion to compel scheduling of Mrs. Monnet's deposition and set for a hearing because of the repeated issues that have occurred with scheduling. We will, however, agree to not conduct such a hearing if Mrs. Monnet appears for a deposition before the scheduled hearing time.

Given that we previously cleared this Friday for depositions, I propose we take Mrs. Monnet's deposition **this Friday - 5/18/18 starting at 10am**. Can you confirm this date and time will work?

EXHIBIT G

In RE: Our Phone Conversation / New Depo Date Requested

→ Please see the 3 attached "Exhibits", as our good faith and honest explanation for requesting a new deposition date. My client provided me with as much obtainable proof as to substantiate our emergency, and unforeseeable need to reschedule to your clients. I have redacted the confidential medical information, but left all pertinent info for your client's review, at my client's request, as we both want to be as transparent and forthcoming as possible in the interest of a just and speedy resolution.

Respectfully,

Jessie Ann M. Doherty, Esq.



MONNET, LISA KAY

DOB: 06/22/1964

53Y

SX: F

[REDACTED]

ADM DT: 05/14/2018

Sanatee Memorial Hospital

| EXHIBIT
monnet, Lisa
17-CA-010953
Proof of Med. Error

MANATEE MEMORIAL HOSPITAL

206 Second Street East, Bradenton, FL 34208

www.manateememorial.com

(941) 746-5111

Name: MONNET, LISA KAY

Age: 53 Years Date of Birth: 6/22/1964 12:00 AM

Arrival Time: 5/14/2018 10:28 AM



Completed [redacted] Stat, 05/14/18 11:56:00 EDT, [redacted]
11:56:00 EDT, Print label Y/N, Print Label By Order Location

Completed [redacted] Stat, 05/14/18 11:56:00 EDT, [redacted]
Print label [redacted] Location

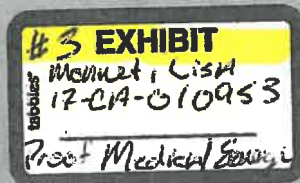
Completed [redacted] Stat, 05/14/
EDT, ST - Stat, 05/14/18 12:05:00 EDT, 05/14/18 12:05:
[redacted] Print Label By Order Location

Radiology Orders

Name	Status	Details
CT	05/14/18 11:56:00 EDT, Stat,	[redacted] Transport Mode: Wheelchair, Yes, I

Cardiology Orders

[redacted]



From: brandy@tampalawadvocates.com [mailto:brandy@tampalawadvocates.com]
Sent: Tuesday, May 15, 2018 6:03 PM
To: Dean A. Kent
Subject: RE: Nitro/Monnet - 5/18/18 rescheduling?

We will see you in our office Friday 5/18/18, at 10:30am. Attorney Dodds will have the proposed stipulation for protective order in regards to the video deposition of my client Ms. Monnet to you for your clients to approval tomorrow morning. Have a good evening.

Brandy Humbertson
Tampa Law Advocates, P.A.

EXHIBIT I

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, STATE OF FLORIDA
CIVIL DIVISION

NITRO MOBILE SOLUTIONS, LLC.,
a Florida Limited Liability Corporation,

Plaintiff,

Case No. 17-CA-010953
Division J

v.

EYE C SOLUTIONS, LLC,
A Florida Limited Liability Corporation, and
LISA MONNET, an individual,

Defendants.

EYE C SOLUTIONS, LLC, and
LISA MONNET,

Counterclaim Plaintiffs,

v.

NITRO MOBILE SOLUTIONS, LLC,
PETE SLADE, and MOLLY SLADE,

Counterclaim Defendants.

SECOND AMENDED NOTICE OF TAKING DEPOSITION
[Via Videographer]

To:

LeesaAnn N. Dodds, Esquire
Samantha L. Dammer, Esquire
Tampa Law Advocates, P.A.
620 East Twiggs Street, Suite 110
Tampa, Florida 33602
ldodds@tampalawadvocates.com
sdammer@attysam.com
tbrewster@attysam.com
pkantner@tampalawadvocates.com

EXHIBIT J

PLEASE TAKE NOTICE that Plaintiff, Nitro Mobile Solutions, LLC., pursuant to Fla. R. Civ. P. 1.310, will take the video deposition upon oral examination of Lisa Monnet on **May 18, 2018 at 10:30 a.m.**, before Patsy Halliday, or such other person duly authorized to administer oaths at the offices of Tampa Law Advocates, P.A., 620 East Twiggs Street, Suite 110, Tampa, Florida 33602. The deposition is being taken for the purposes of discovery, for use at trial and for such other purposes as are permitted under the Florida Rules of Civil Procedure.

The examination of the deponent may continue from day to day until completed or may be adjourned to be reconvened at such later date as may be established therefor by those in attendance at such deposition. You are invited to attend and cross-examine the witness.

PLEASE BE GOVERNED ACCORDINGLY.

I HEREBY CERTIFY that on the **16th day of May, 2018**, counsel for Nitro Mobile Solutions, LLC electronically filed the foregoing with the Clerk of Court by using the Florida Courts E-Filing Portal System, which will send a notice of electronic filing and copy to the parties and counsel of record above.

/s/ Dean A. Kent

DEAN A. KENT, ESQUIRE

Florida Bar No. 0307040

Primary email: dkent@trenam.com

Secondary email: pholliday@trenam.com

TRENAM, KEMKER, SCHARF, BARKIN

FRYE, O'NEILL & MULLIS, P.A.

2700 Bank of America Plaza

101 E. Kennedy Blvd.

Tampa, Florida 33602

Tel: (813) 223-7474

Fax: (813) 229-6553

Attorneys for Nitro Mobile Solutions, LLC

Copy furnished to Patsy Halliday patsy@tampareporters.com

Sent: Thu 5/17/2018 11:01 AM

You replied to this message on 5/17/2018 1:35 PM.
This message was sent with High Importance.

From: Samantha L. Dammer <sdammer@attysam.com>
To: Dean A. Kent
Cc: 'LeesaAnn Dodds'
Subject: Nitro v. Monnet

Mr. Kent,

I just left you a voice mail message with regard to the deposition scheduled for tomorrow morning. As you are aware, Ms. Monnet had serious medical issues earlier in the week, and was discharged on Wednesday with prescriptions for pain medication and antibiotics. She is in severe pain, sedated, and in no capacity to be deposed tomorrow and will therefore not be appearing for the deposition. Once she has recovered we will of course cooperate fully with rescheduling her deposition.

If you wish to discuss this further feel free to return my call.

Sincerely,

SAMANTHA L. DAMMER, ESQ.
MANAGING ATTORNEY

 **Tampa Law Advocates, P.A.**
A Private Law Firm

Business Law | Corporate and Personal Bankruptcy | Civil Litigation | Real Estate | Debt Settlement | Foreclosure Defense
620 East Twiggs Street | Suite 110 | Tampa, FL 33602 (one block from the Courthouse)
Office: (813) 288-0303 | Fax: (813) 466-7495 | sdammer@attysam.com

2015-2016 Chairman, South Tampa Chamber of Commerce

EXHIBIT K