

IN THE CIRCUIT COURT, THIRTEENTH
JUDICIAL CIRCUIT, IN AND FOR
HILLSBOROUGH COUNTY, FLORIDA

CASE NUMBER: 20-CA-006289

DONNA L. PETTIS, an individual,
LYNDA L. SANCHEZ, an individual,
GALE L. RATHBONE, an individual and
ANNE MCQUEEN, an individual,

Plaintiffs,

v.

CAROLE BASKIN, an individual,
SUSAN BRADSHAW, an individual,
KENNETH WAYNE FARR, an individual,
HOWARD BASKIN, an individual,
BIG CAT RESCUE CORP a Florida corporation
and d/b/a "BIG CAT RESCUE," and
BIG CAT RESCUE AND SANCTUARY
a Florida corporation and d/b/a "BIG CAT RESCUE,"

Defendants.

MOTION TO STRIKE NON-COMPLIANT FILING OF DEFENDANT
SUSAN BRADSHAW

COME NOW, Plaintiffs DONNA L. PETTIS, LYNDA L. SANCHEZ, GALE L. RATHBONE, and ANNE MCQUEEN, by and through their undersigned counsel and files this their Motion to Strike Non-Compliant Filing of Defendant SUSAN BRADSHAW, and in support thereof states as follows:

1. An unsigned pleading was allegedly filed by Defendant Susan Arnoff Bradshaw.
2. It includes no contact information.
3. It includes what purports to be a Motion to Dismiss asking for dismissal of the case against her, although it is styled as an "Answer."

4. Plaintiffs cannot verify who filed it or how to communicate with the filer.
5. Under Florida Rule of Civil Procedure 1.080 (b), “Filing. All documents shall be filed in conformity with the requirements of Florida Rule of Judicial Administration 2.525.” It is not.
6. The pleading was not served as required under Florida Rules.
7. Under Florida Rule of Judicial Administration 2.515(b), “Pro Se Litigant Signature. A party who is not represented by an attorney shall sign any document and state the party’s address and telephone number, including area code.” It does not.
8. Plaintiffs’ counsel has tried to reach out to Defendant Bradshaw but has been ignored or otherwise unable to contact her.
9. The filing contains an admission of a fraudulent filed power of attorney so meeting the rules and being signed as required is of utmost importance.
10. As a result, this is not a responsive pleading and is further due to be amended or stricken.
11. Plaintiffs are utilizing Florida Rule of Civil Procedure 1.190, entitled, “Amended and Supplemental Pleadings,” to amend their Complaint in light of the lack of responsive pleadings. It states, “(a) Amendments. A party may amend a pleading once as a matter of course at any time before a responsive pleading is served.” Given Plaintiffs have only received two Motions to Dismiss and this non-compliant, legally insufficient submission, same does not require leave.
12. Plaintiffs stipulate Defendant Bradshaw should simply file a signed response with contact information to the concurrently filed amended complaint, as the filed amendment will make this motion moot.

13. If Defendant Bradshaw refuses, this motion may be necessary to be heard by the Court and attorney fees will be sought for the effort of striking a non-compliant pleading.

WHEREFORE, Plaintiffs request this Honorable Court to enter an Order Granting Plaintiffs' Motion to Strike Defendant Bradshaw's Non-compliant and legally insufficient filing and any other such relief the Court deems just and proper.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing was filed via electronic portal to the Clerk of Hillsborough County and a true and correct copy was sent via electronic delivery to David Rothburn, Eric Husby and David Caldevilla and Susan Bradshaw, via U.S. Mail at 4702 Cooper Road, Plant City, FL 33565 on this **22nd** day of September, 2020. A hard copy has been furnished via U.S. mail to Susan A. Bradshaw.

PHILLIPS & HUNT

/s/ John M. Phillips

John M. Phillips, B.C.S.

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