

O/a 1-6-88

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IN THE SUPREME COURT OF FLORIDA

CASE NO. 70,407

FILED  
CLERK OF COURT

NOV 20 1987

CLERK OF COURT  
JEL

ANA SILVIA GOEDMAKERS )  
Petitioner, )  
vs. )  
HARRY GOEDMAKERS, )  
Respondent. )

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REPLY BRIEF ON THE MERITS  
OF  
PETITIONER, ANA SILVIA GOEDMAKERS

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From The Third District Court Of  
Florida

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MILLER AND SCHWARTZ, P.A.  
Attorneys for Petitioner  
4040 Sheridan Street  
Post Office Box 7259  
Hollywood, Florida 33081-1259  
(305) 962-2000 or Miami 625-3630

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STATEMENT OF THE CASE AND OF THE FACTS

Petitioner adheres to the Statement Of The Case And Of The Facts set forth in her Initial Brief On The Merits.

The parties will again be referred to by their designation in the trial court below; that is, Petitioner will be called "Wife," and Respondent will be called "Husband."

All emphasis is the writer's unless otherwise indicated.

POINTS ON APPEAL

POINT I

BROWARD COUNTY IS THE ONLY PROPER VENUE IN A DISSOLUTION OF MARRIAGE ACTION WHERE IT IS UNCONTROVERTED THAT BOTH THE HUSBAND AND WIFE RESIDE IN BROWARD COUNTY, WHERE THE CAUSE OF ACTION FOR DISSOLUTION OF MARRIAGE ACCRUED IN BROWARD COUNTY (WHERE THE PARTIES LAST COHABITED AS HUSBAND AND WIFE WITH A COMMON INTENT TO REMAIN MARRIED, WHERE THE SEPARATION OF THE PARTIES OCCURRED, AND WHERE THE MARRIAGE BECAME IRRETRIEVABLY BROKEN), AND WHERE THE MARITAL HOME IS LOCATED IN BROWARD COUNTY AND THERE IS NO PROPERTY OF THE PARTIES LOCATED IN ANY OTHER COUNTY.

POINT II

THE BUSINESS AND ASSETS OF A NON-PARTY CORPORATION ARE NOT "PROPERTY IN LITIGATION" FOR PURPOSES OF DETERMINING PROPER VENUE IN A DISSOLUTION OF MARRIAGE ACTION SIMPLY BECAUSE THE HUSBAND AND/OR WIFE MAY OWN STOCK IN THAT CORPORATION.

SUMMARY OF ARGUMENT

THE HUSBAND'S BRIEF ON THE MERITS FAILS TO SET FORTH ANY PLAUSIBLE OR PERSUASIVE EXPLANATION AS TO HOW THE "THRIVING BUSINESS" OF A NON-PARTY CORPORATION CAN BE CONSIDERED "PROPERTY IN LITIGATION" FOR PURPOSES OF DETERMINING VENUE.

THE HUSBAND'S BRIEF ON THE MERITS FAILS TO SET FORTH ANY PLAUSIBLE OR PERSUASIVE EXPLANATION AS TO HOW THE CORPORATE VEIL OF A NON-PARTY CORPORATION CAN BE PIERCED WITHOUT DUE PROCESS OF LAW.

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THE HUSBAND'S BRIEF ON THE MERITS FAILS TO SET FORTH ANY PLAUSIBLE OR PERSUASIVE EXPLANATION AS TO HOW THE "THRIVING BUSINESS" OF A NON-PARTY CORPORATION CAN BE CONSIDERED "PROPERTY IN LITIGATION" FOR PURPOSES OF DETERMINING VENUE.

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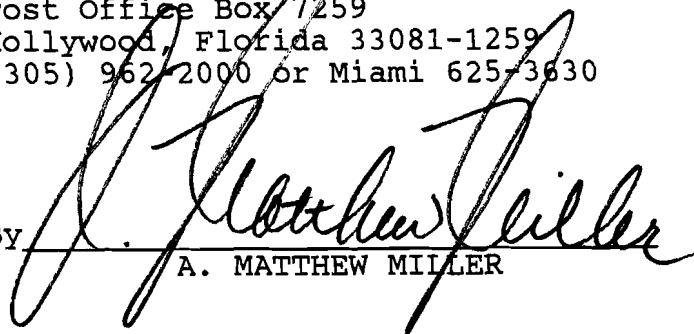
CONCLUSION

Based upon the reasons and authorities set forth in the Initial Brief On The Merits Of Petitioner, Ana Silvia Goedmakers, the decision of the District Court of Appeal, Third District, should be quashed and the cause remanded with directions to reverse the Trial Court's Order with instructions to transfer the action to Broward County.

Respectfully submitted,

MILLER AND SCHWARTZ, P.A.  
Attorneys for Petitioner  
4040 Sheridan Street  
Post Office Box 7259  
Hollywood, Florida 33081-1259  
(305) 962-2000 or Miami 625-3630

By

A handwritten signature in black ink, appearing to read "A. Matthew Miller", written over a horizontal line.

A. MATTHEW MILLER