

**IN THE SUPREME COURT OF FLORIDA  
STATE OF FLORIDA**

GREEN CLINIC, INC., f/k/a  
GREEN CLINIC, P.A., a Florida  
corporation; J. C. STINE, M.D.;  
JOHN W. MOORE, M.D.;  
FRANK J. THORNTON, M.D.;  
MICHAEL G. DEGNAN, M.D.;  
GUILLERMO F. ALLENDE, M.D.;  
and DAVID J. GREEN, M.D.

Defendants/Petitioners,

v.

MANUEL D. JAIN, M.D.,

Appellant.

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**PETITIONERS' REPLY BRIEF**

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SUPREME COURT CASE NO.: SC02-2595  
SECOND DISTRICT COURT CASE NO.: 2D01-1913  
CIRCUIT COURT CASE NO.: GCC-97-2493 (POLK COUNTY)

LAW OFFICES OF NEAL L. O'TOOLE, P.A.  
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## **PREFACE**

DEFENDANT/PETITIONER, DAVID J. GREEN, hereby incorporates and adopts the Reply Brief of Appellee, Green Clinic, Inc. f/k/a Green Clinic P.A. and APPELLEE J.C. STINE, M.D., JOHN MOORE, M.D., FRANK J. THORNTON, M.D., MICHAEL G. DEGNAN, M.D., and GUILLERMO F. ALLENDE, M.D. as the facts and issues in dispute are the same.

## **TABLE OF CITATIONS**

DEFENDANT/PETITIONER, DAVID J. GREEN, hereby incorporates and adopts the Reply Brief of Appellee, Green Clinic, Inc. f/k/a Green Clinic P.A. and APPELLEE J.C. STINE, M.D., JOHN MOORE, M.D., FRANK J. THORNTON, M.D., MICHAEL G. DEGNAN, M.D., and GUILLERMO F. ALLENDE, M.D. as the facts and issues in dispute are the same.

## **ARGUMENT**

DEFENDANT/PETITIONER, DAVID J. GREEN, hereby incorporates and adopts the Reply Brief of Appellee, Green Clinic, Inc. f/k/a Green Clinic P.A. and APPELLEE J.C. STINE, M.D., JOHN MOORE, M.D., FRANK J. THORNTON, M.D., MICHAEL G. DEGNAN, M.D., and GUILLERMO F. ALLENDE, M.D. as the facts and issues in dispute are the same.

### **I. ONE YEAR PERIOD**

DEFENDANT/PETITIONER, DAVID J. GREEN, hereby incorporates and adopts the Reply Brief of Appellee, Green Clinic, Inc. f/k/a Green Clinic P.A. and APPELLEE J.C. STINE, M.D., JOHN MOORE, M.D., FRANK J. THORNTON, M.D., MICHAEL G. DEGNAN, M.D., and GUILLERMO F. ALLENDE, M.D. as the facts and issues in dispute are the same.

## **II.FACTUAL RECORD**

DEFENDANT/PETITIONER, DAVID J. GREEN, hereby incorporates and adopts the Reply Brief of Appellee, Green Clinic, Inc. f/k/a Green Clinic P.A. and APPELLEE J.C. STINE, M.D., JOHN MOORE, M.D., FRANK J. THORNTON, M.D., MICHAEL G. DEGNAN, M.D., and GUILLERMO F. ALLENDE, M.D. as the facts and issues in dispute are the same.

## **III.THE LAW ON INFORMAL CONTACT**

DEFENDANT/PETITIONER, DAVID J. GREEN, hereby incorporates and adopts the Reply Brief of Appellee, Green Clinic, Inc. f/k/a Green Clinic P.A. and APPELLEE J.C. STINE, M.D., JOHN MOORE, M.D., FRANK J. THORNTON, M.D., MICHAEL G. DEGNAN, M.D., and GUILLERMO F. ALLENDE, M.D. as the facts and issues in dispute are the same.

## **CONCLUSION**

DEFENDANT/PETITIONER, DAVID J. GREEN, hereby incorporates and adopts the Reply Brief of Appellee, Green Clinic, Inc. f/k/a Green Clinic P.A. and APPELLEE J.C. STINE, M.D., JOHN MOORE, M.D., FRANK J. THORNTON, M.D., MICHAEL G. DEGNAN, M.D., and GUILLERMO F. ALLENDE, M.D. as the facts and issues in dispute are the same.

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a correct copy of this Reply Brief on the Merits has been served by U.S. First Class Mail this \_\_\_\_\_ day of July, 2003, to **Stephen D. Milbrath, Esquire**, Post Office Box 3791, Orlando, FL 32802-3791; **Robert L. Rocke, Esquire** and **Jonathan B. Sbar, Esquire**, Post Office Box 3391, Tampa, FL 33601; **Tracy S. Carlin, Esquire**, Post Office Box 240, Jacksonville, FL 32201; and **Jonathan B. Trohn, Esquire**, Post Office Box 3, Lakeland, FL 33802-0003.

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## CERTIFICATE OF COMPLIANCE

I HEREBY CERTIFY that this Brief is submitted in Times New Roman 14-point font in compliance with Rule 9.210(a)(2), Fla. R. App. P.

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Neal L. O'Toole