
SUPREME COURT OF FLORIDA
Case No. SC05-2045

S AND T BUILDERS, INC.

Petitioner,

vs.

GLOBE PROPERTIES, INC.

Respondent.

**PETITIONER'S "LATE" REPLY BRIEF ON THE MERITS
DUE TO COURT'S DISPENSING WITH ORAL ARGUMENT**

ON APPEAL FROM THE DISTRICT COURT OF APPEAL
FOURTH DISTRICT
L.T. No. 04-16367 CACE (04)

SUBMITTED BY:

THE LAW OFFICES OF RANDALL L. GILBERT, P.A.
Randall L. Gilbert, Esq.
Ronald E. Kaufman, Esq.
Appellate Counsel for Petitioner
15700 NW 7th Avenue
Miami, FL 33169

STATEMENT OF THE FACTS

On March 2, 2006 Oral argument was denied by the majority but encouraged by Justice Anstead.

Had oral argument been granted PETITIONER would have clarified that no Counterclaim was ever filed against PETITIONER. Therefore, there is no claim for Slander of Title or any other independent causes of action alleged against PETITIONER for filing a wrongful *lis pendens*.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was faxed and mailed this ____ day of _____ 2006 to: **Mr. Guy M. Shir, Esq.**, Law Offices of Kahan & Associates, P.L., 1800 NW Corporate Blvd. Suite 102 Boca Raton, Florida 33431. [Telephone: (561) 999-5999 • Facsimile: (561) 893-0999]; **Charles S. Dale, Esq.**, Charles S. Dale PA 414 NE Fourth Street Fort Lauderdale Florida 33301 [Telephone: (954) 462-7472 • Facsimile: (954) 462-5472].

THE LAW OFFICES OF RANDALL L. GILBERT, P.A.
15700 NORTHWEST SEVENTH AVENUE
MIAMI, FLORIDA 33169

RANDALL L. GILBERT
FLORIDA BAR NO. 0173835
RONALD E. KAUFMAN
FLORIDA BAR NO. 524212
Attorneys for Petitioner

CERTIFICATE OF COMPLIANCE

I hereby certify that this petition complies with the font requirements of Rule 9.100(1) of the Florida Rules of Appellate Procedure.

RANDALL L. GILBERT
FLORIDA BAR NO. 0173835

G:\users\legal\S AND T BUILDERS INC\GLOBE PROPERTIES\APPEAL (SUPREME)\11170402- (06)e-filing of Reply brief on merits.doc