

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO.: 11-22657-Civ-COOKE/TURNOFF

R.K./FL MANAGEMENT, INC., *et al.*,

Plaintiffs,

v.

JOHN DOE,

Defendant.

**PLAINTIFFS' REQUEST FOR LEAVE TO FILE A
SUR-REPLY TO DEFENDANT'S REPLY IN SUPPORT
OF HIS MOTION FOR RECONSIDERATION OF ORDER
DENYING MOTION TO QUASH AND FOR PROTECTIVE ORDER**

Plaintiffs, R.K./FL MANAGEMENT, R.K. ASSOCIATES VII, INC., 17070 COLLINS AVENUE SHOPPING CENTER, LTD., RAANAN KATZ, and DANIEL KATZ (collectively, the "Plaintiffs"), through their undersigned counsel, request that this Court permit Plaintiffs to file a brief Sur-Reply to Defendant's Reply in Support of His Motion for Reconsideration of Order Denying Motion to Quash and for Protective Order (the "Reply") [D.E. 36] to enable Plaintiffs to respond to new arguments raised in the Reply and the Supplemental Declaration of Robert C. Kain, Jr. (the "Supplemental Declaration") attached thereto, which were not previously raised in either the Motion for Reconsideration of Order Denying Motion to Quash and for Protective Order [D.E. 15] or the Declaration of Robert C. Kain, Jr. attached thereto. The purpose of the brief Sur-Reply is to discuss Defendant's further mischaracterizations of the law and facts that permeate the Reply and the Supplemental Declaration.

Respectfully submitted,

By: s/Alan J. Kluger

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 21, 2011, I electronically filed the foregoing document with the Clerk of Court through the CM/ECF System. **I FURTHER CERTIFY** that a true and correct copy of the foregoing has been furnished via U.S. Mail this 21th day of September, 2011 to: **Robert C. Kain, Jr.**, Kain & Associates, Attorneys at Law, P.A., 900 Southeast Third Avenue, Suite 205, Ft. Lauderdale, Florida 33316.

By: s/Alan J. Kluger
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