

IN THE CIRCUIT COURT OF THE
SEVENTH JUDICIAL CIRCUIT, IN AND
FOR FLAGLER COUNTY, FLORIDA

CASE NO.: 2020 CA 000462

TAMMY MICHELLE BIZIER, as Personal
Representative of the Estate of Mario
Joseph Bizier, Deceased,

Plaintiffs,

v.

BROOKE ANNA LORENZEN, and individual
and ALLSTATE INSURANCE COMPANY, a
foreign profit corporation,

Defendants.

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DEFENDANT'S MOTION TO CONTINUE TRIAL

Defendant, BROOKE ANNA LORENZEN, by and through her undersigned counsel, hereby files this Motion To Continue Trial pursuant to Fla. R. C.P. 1.460, respectfully requesting an Order granting a continuance of this cause currently set for trial on December 13, 2021. As grounds for the Continuance, the Defendant would show as follows:

1. This is a complex wrongful death action brought by Plaintiff against Defendant.
2. Trial is scheduled to begin December 13, 2021.
3. The parties previously filed an agreed Motion for Continuance that was granted based on the fact that the parties still have significant discovery to complete before this case is ready for trial, including multiple depositions and expert discovery. In

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addition, the Traffic Homicide Report had not even been completed or released by the Investigation Agency, and the parties have been unable to complete their investigation of the accident until this report is completed. The Traffic Homicide Report and all of the evidence relating to the traffic homicide investigation still has not been released, and the Plaintiff and Defendant have been unable to complete their investigation regarding the causes of this accident. After the report is completed, additional time will be required to allow the parties' experts to complete their investigation of the accident, finalize their opinions and then make themselves available for deposition and trial.

4. The need for a continuance is not based on any undue delay or lack of diligence on the part of the Defendant (or the Plaintiffs). The Defendant's ability to defend this case will be severely prejudiced if the case does not proceed to trial.

5. Defendant Brooke Anne Lorenzen has no objection to the proposed continuance.

WHEREFORE, the Defendant respectfully request this Honorable Court to continue the trial scheduled to begin December 13, 2021, so the parties may complete the necessary discovery to prepare this case for trial.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of September, 2021, a true and correct copy of the foregoing was filed with the Clerk of Flagler County by using the Florida Courts e-Filing Portal, which will send an automatic e-mail message to the following parties registered with the e-Filing Portal system: W. Holt Harrell, Esq., Harrell & Harrell, P.A., hharrell@harrellandharrell.com;vharrison@harrellandharrell.com;jcorey@harrellandharrell.com, 4735 Sunbeam Rd, Jacksonville, FL 32257, (904) 251-1111/(904) 251-1110 (F),

Attorney for Plaintiff, Tammy Michelle Bizier; Claimant, Mario Joseph Bizier and Virgil William "Bill" Wright, III, Esq., Cameron, Hodges, Coleman, LaPointe, & Wright, P.A., Servicejp@cameronhodges2.com, 120 S. Palmetto Avenue, Daytona Beach, FL 32114, (386) 257-1755/(386) 252-5601 (F), Attorney for Defendant, Allstate Insurance Company.

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