

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

CA FLORIDA HOLDINGS, LLC,
Publisher of the PALM BEACH POST,

Plaintiff,

v.

CASE NO.: 50-2019-CA-014681-AG

DAVE ARONBERG, as State Attorney of
Palm Beach County, Florida; SHARON R.
BOCK, as Clerk and Comptroller of Palm
Beach County, Florida.

Defendants.

**MOTION TO ALTER OR AMEND ORDER DENYING THE AMENDED MOTION FOR
ATTORNEYS' FEES UNDER FLORIDA STATUTES SECTION 57.105**

Defendant, DAVE ARONBERG, as State Attorney of Palm Beach County, Florida, by and through the undersigned attorneys, moves the Court, pursuant to Rule 1.530(g), Fla. R. Civ. P., to enter an order altering or amending the Court's January 31, 2023 Order Denying the Amended Motion for Attorneys' Fees Under Florida Statutes Section 57.105, (the "Order"), and in support thereof states:

1. Rule 1.530(g), Fla. R. Civ. P., Motion to Alter or Amend a Judgment states: "A motion to alter or amend the judgment shall be served not later than 15 days after the date of filing of the judgment, except that this rule does not affect the remedies in rule 1.540(b)."
2. The January 31, 2023 Order is specifically titled "Order Denying the *Amended Motion* for Attorneys' Fees under Florida Statute Section 57.105."
3. Likewise, all components of the Order, other than paragraph 6, address only the "Amended Motion" and it explicitly states that "the 'Amended Motion' is the only motion for fees that was set for hearing."
4. Notably, after detailing the reasons for denying the "Amended Motion", paragraph 6 of the Order goes on to deny Mr. Aronberg's *Original Motion* for Attorneys' Fees, dated July 1, 2020, which was never heard by the Court.

WHEREFORE, based on the foregoing, Defendant, DAVE ARONBERG, as State Attorney of Palm Beach County, Florida, respectfully requests that the Court enter an order altering or amending the Order to clarify that only the Amended Motion for Attorneys' Fees, dated November 9, 2020, was denied by the Order, not the original July 1, 2020 Motion for Attorneys' Fees that has never been heard by the Court.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of February, 2023, a copy of the foregoing has been electronically filed with the Florida E-File Portal for e-service on all parties of record herein.

JACOBS SCHOLZ & WYLER, LLC

/s/ Douglas A. Wyler

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