

Motion to Compel

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From: expertdoctor@aol.com**To:** jgoold@cov.com**Cc:** candersen@bushross.com; dbanker@bushross.com; kskorewicz@bushross.com; dph@Horan-Wallace.com; Jeff@StullPA.com; jkimball@blankrome.com; rlamotte@bdlaw.com**Subject:** Motion to Compel**Date:** Sun, Nov 15, 2009 10:35 pm

Dear Legal Counsel:

I entered case No. 07cv00614 on 2/2/09 as a Pro Se/ Unrepresented Party. In this capacity I did NOT enroll in the electronic filing system used by most if not all legal counsel in this case. As a result, I must file documents via Fedex carrier or other means allowed by FRCP Rule 5.

During my involvement in this case, my records indicate that Kingdom of Spain has conducted five filings consisting of one or more documents per filing. In its Certificates of Service, Kingdom of Spain generally states:

"...served on all counsel of record by causing it to be filed with the Court's CM/EMF system which will send a notice of electronic filing to all counsel of record."

This statement may or not be true, however, due to my non-participation in the electronic filing system of the Court, Kingdom of Spain has repeatedly and systematically failed to provide me with service of pleadings as required by FRCP Rules 4 and 5, Florida Rules of Civ. Procedure, and Middle District Local Rules. FRCP Rule 41 comes to mind, although Kingdom of Spain is not a "Plaintiff" in this matter.

Legal Counsel, would you object if I filed a Motion To Compel Kingdom of Spain to comply with Federal and Florida Rules of Civil Procedure as well as Local Rules requiring the service of all parties with pleadings?

Respectfully,

Jose Antonio Rodriguez Menendez

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| U.S. District Court Middle District of Florida | |
| DEFENDANT'S EXHIBIT | |
| Exhibit Number: | 111A |
| Case Number: | Case No. 8:07-CV-00614- |
| | SDM-MAP |
| | ODYSSEY v. Spain |
| Date Identified: | 11/19/09 |
| Date Admitted: | |