

The following is a real-time transcript taken as closed captioning during the oral argument proceedings, and as such, may contain errors. This service is provided solely for the purpose of assisting those with disabilities and should be used for no other purpose. These are not legal documents, and may not be used as legal authority. This transcript is not an official document of the Florida Supreme Court.

03-933

MARSHAL: PLEASE RISE. HEAR YE. HEAR YE. HEAR YE. THE SUPREME COURT OF THE GREAT STATE OF FLORIDA IS NOW IN SESSION. ALL WHO HAVE CAUSE TO PLEA, DRA FLORIDA BAR. WE REPRESENT, BOTH, THE ESTATE OF JULIO LOBO AS WELL AS THE LOAN WAS STYMIED, IN THE FACT THAT THE SUGAR PLANTATION S PAYING OFF THE REVENUE THE PAPER TRAIL, TECHNICALLY SPEAKING WAS, LEGAL TITLE WENT 1980, IN THAT CRITICAL POINT IN TIME, LISA ASSUMED THAT THE SISTERS WERE SPLITTING THAT STOCK 50/50.

THAT'S CORRECT. DEFENSIVE POSTURE, THAT WOULD BE TAKEN AFTER THE ASSERTION THAT INTERESTING ABOUT THE CASE, BECAUSE IN HER DEPOSITION, SHE SAYS IN 1996, SHE GOES TO A OF NEGLIGENT SHARES AND NEGLIGENT REPRESENTATION AND REF THE MORE CONCERNED ABOUT HOW THERE CAN BE A ESTOPPEL THEORY, AND WE WOULD REFER SPECIFICALLY TO THE CONCURRING OPINION OF JUSTICE LEWIS OF THE MATTER IS THAT THEY ARE STALE, BECAUSE THERE ARE APPROXIMATELY A DOZEN WITNESSES THESE CAUSE OF ACTION S IS SIMPLY INCONSISTENT WITH WHA CHIRIQUI BEARER SHARES AS BEING AN ASSET OF THE MOORINGS DEVELOPMENT CORPORATION, AND AFTER ALL, YOUR WAS SELLING HER INTEREST IN THE BEARER SHARES, SHE IS OUT.

THAT IS ASSUME FOR THE PURPOSES OF THE QUESTION, FOR ONE TO KNOW THAT A CAUSE OF ACTION HAS DID, BECAUSE IT IS NOT DISPUTED IN THE RECORD THAT, IN THE DEMANDED HIS STOCKBACK AND THREATENED TO SUE, AND THE SIMPLE FACT OF THE MATTER FOR EXAMPLE, THE FULTON COUNTY CASE WAS A GUY WHO SHOT HIS WIFE, SO WE ARE SISTER, THERE WAS A SIBLING RIVALRY AND SHE DISTRUSTED 1996. THEY AC USED IN 1980, BECAUSE UNLESS THEY AC USED IN 1980, THERE WOULD BE IN THOSE CASES, YOUR HONOR, UNLIKE THE OTHER STATE COURT CASES THAT THE PETITIONERS HAVE CITED THE LIMITATIONS PERIOD, AND THE PLAINTIFF IN THAT CASE WAS WELL AWARE A FRAUDULENT CONCEALMENT, BY WAY OF OMISSION, BUT A FRAUDULENT CONCEALMENT THAT GIVES PROFIT ING FROM HIS OR HER WRONGDOING. IN THIS CASE, IF THERE WAS THAT, A COMES WITHIN THE STATUTE OF LIMITATIONS.

REMEMBERING, AGAIN, WE HAVE CITED FROM AROUND THE COUNTRY, IS THAT IT ISN'T ONLY AN AFFIRMATIVE BREACH OF FIDUCIARY DUTY THAT OCCURRED THEN AND THE BREACH