

# REGISTER OF ACTIONS

CASE No. 08-CP-002479

IN RE: The Estate of Robert Rauschenberg

§  
§  
§  
§  
§  
§

Case Type: **Formal Administration**  
Date Filed: **09/05/2008**  
Location: **Probate**  
Judicial Officer: **Rosman, Jay B**

---

RELATED CASE INFORMATION

---

**Related Cases**

11-CA-001985 (Other)

---

PARTY INFORMATION

---

**Decedent**     **Rauschenberg, Robert**  
                    Captiva, FL 33924

DOB: 10/22/1925

**Lead Attorneys**

---

EVENTS & ORDERS OF THE COURT

---

**DISPOSITIONS**

12/13/2013 **Mandate Affirmed** (Judicial Officer: Rosman, Jay B)

**OTHER EVENTS AND HEARINGS**

- 09/05/2008 **Petition for Administration**
- 09/05/2008 **Federal Estate Tax Return Due**
- 09/05/2008 **Oath & Designation of Resident Agent**
- 09/05/2008 **Last Will & Testament**
- 09/05/2008 **Death Certificate**
- 09/08/2008 **Notice of Trust**
- 09/10/2008 **Order Admitting Will**
- 09/17/2008 **Bond**
- 09/19/2008 **Letters of Administration**
- 09/19/2008 **Inventory Due**  
                    *\*see order extending time till 5/1/13*
- 09/19/2008 **Affidavit of Publication Due**
- 10/16/2008 **Affidavit of Publication of Notice to Creditors**
- 10/23/2008 **Affidavit of Publication of Notice to Creditors**
- 11/12/2008 **Petition for Extension to File Inventory**
- 11/14/2008 **Order Extending Time to File Inventory**
- 12/18/2008 **Proof of Service**
- 01/07/2009 **Creditor Claim**
- 01/23/2009 **Release of Claim**
- 02/10/2009 **Notice of Filing**
- 02/10/2009 **Disclaimer**
- 02/18/2009 **Statement Regarding Creditors**
- 02/18/2009 **Petition for Extension to File Inventory**
- 02/20/2009 **Order Extending Time to File Inventory**
- 09/02/2009 **Notice of Estate Status**
- 10/01/2009 **Inventory**
- 10/01/2009 **Notice of Estate Status**
- 10/01/2009 **Proof of Service of Inventory**
- 10/19/2010 **Notice of Intent to Dismiss Action**
- 11/15/2010 **Petition for Extension to File Discharge**
- 11/15/2010 **Estate Tax Closing Letter**
- 11/15/2010 **Affidavit of No Florida Estate Tax Due**
- 11/17/2010 **Order Extending Time to File Discharge**
- 12/15/2010 **CANCELED Probate Dismissal (8:00 AM) ()**  
                    *Other*
- 05/26/2011 **Petition for Extension to File Discharge**
- 05/31/2011 **Order Extending Time to File Discharge**
- 06/21/2011 **Formal Notice**
- 06/21/2011 **Formal Notice**
- 06/21/2011 **Petition**  
                    *to determine trustee fees*
- 06/29/2011 **Motion to Consolidate**  
                    *with 11CA001985*
- 06/30/2011 **Proof of Service**
- 07/01/2011 **Notice of Hearing**  
                    *07/25/11*
- 07/08/2011 **Motion**

07/08/2011 **Motion**  
to extend time to serve responsive pleading or motion

07/12/2011 **Notice of Service of Interrogatories**

07/12/2011 **Request for Admissions**

07/22/2011 **Order to Consolidate Case**

07/25/2011 **Notice of Cancellation of Hearing**

08/15/2011 **Response**  
to Petition to Determine Fees

08/18/2011 **Response**

08/24/2011 **Response**

09/07/2011 **Motion**  
for admission to appear Pro Hac Vice

09/07/2011 **Motion**  
for admission to appear Pro Hac Vice

09/16/2011 **Notice of Service of Answers to Interrogatories**

09/16/2011 **Notice of Service of Answers to Interrogatories**

09/22/2011 **Response**

10/10/2011 **Notice of Service of Answers to Interrogatories**

10/12/2011 **Request for Production**

11/16/2011 **Response**  
to request for production

12/27/2011 **Request for Production**

01/12/2012 **Motion**  
regarding trustee fee

01/26/2012 **Response**  
to trustees request for production

02/01/2012 **Mediation Coordinator Report**

02/01/2012 **Notice of Hearing**  
3/26/12 1:30

02/07/2012 **Notice of Hearing**  
3/26/12 1:30

02/09/2012 **Amended Notice of Hearing**  
3/26/12 11:30

02/13/2012 **Petition**  
for court to review employment of persons by trustee

02/13/2012 **Objection**  
to Trustee's accounting and claims for removal of Trustee

03/07/2012 **Response**

03/08/2012 **Motion**

03/08/2012 **Motion**  
to dismiss quash & strike portions of beneficiary's petition

03/08/2012 **Response**

03/12/2012 **Notice of Taking Deposition**

03/12/2012 **Affidavit**

03/16/2012 **Request for Production**  
second

03/16/2012 **Notice of Service of Interrogatories**

03/16/2012 **Request for Production**

03/19/2012 **Response**

03/19/2012 **Response**  
to Motion to Decide Methodology

03/22/2012 **Memorandum**

03/23/2012 **Affidavit**  
copy

03/23/2012 **Affidavit**  
copy

03/23/2012 **Notice of Filing**

03/26/2012 **Memorandum**  
of law in support of petitioner's motion

03/26/2012 **Minutes**

03/26/2012 **Minutes**

03/27/2012 **Notice**  
of intent to use expert witness

03/27/2012 **Notice**  
of service

03/27/2012 **Notice**  
of service

03/28/2012 **Formal Notice**  
 03/28/2012 **Proof of Service**  
 03/29/2012 **Correspondence**  
 03/29/2012 **Notice of Service of Interrogatories**  
 03/29/2012 **Request for Production**  
 04/03/2012 **Notice**  
     *of Service of Response*  
 04/03/2012 **Response**  
 04/09/2012 **Request for Production**  
     *(Amended)*  
 04/10/2012 **Amended Inventory**  
 04/10/2012 **Petition for Extension to File Discharge**  
 04/10/2012 **Proof of Service of Inventory**  
 04/11/2012 **Order**  
     *Granting In Part and Denying In Part Motion for Protective Order*  
 04/11/2012 **Order Denying Motion**  
     *to Decide Methodology for Determining Reasonable Trustee's Fee*  
 04/13/2012 **Order Extending Time to File Discharge**  
 04/20/2012 **Response**  
 04/20/2012 **Response**  
 04/23/2012 **Request for Admissions**  
 04/23/2012 **Response**  
     *amended*  
 04/24/2012 **Certificate of Service**  
 04/27/2012 **Notice of Service of Answers to Interrogatories**  
 05/01/2012 **Response**  
 05/01/2012 **Notice of Service of Answers to Interrogatories**  
 05/02/2012 **Response**  
 05/10/2012 **Notice of Taking Deposition**  
 05/11/2012 **Response**  
     *to Trustees' Request for Production*  
 05/14/2012 **Notice of Cancellation**  
     *of depositions*  
 05/14/2012 **Notice of Taking Deposition**  
 05/21/2012 **Response**  
 05/22/2012 **Response**  
 05/24/2012 **Notice of Cancellation**  
     *of Taking Deposition*  
 05/29/2012 **Notice of Hearing**  
     *7/30/12 3:00PM*  
 06/11/2012 **Motion for Summary Judgment**  
     *partial*  
 06/11/2012 **Motion for Summary Judgment**  
     *partial*  
 06/13/2012 **Motion**  
 06/13/2012 **Motion**  
 06/25/2012 **Notice of Hearing**  
     *7/30/12 10:15*  
 06/25/2012 **Notice of Hearing**  
     *9/24/12 1:30*  
 07/30/2012 **Correspondence**  
 07/30/2012 **Response**  
 07/30/2012 **Minutes**  
 08/01/2012 **Notice of Taking Deposition**  
 08/17/2012 **Order**  
     *Permitting Appearance*  
 08/17/2012 **Order Denying Motion**  
     *for Pretrial Summary Judgment*  
 08/29/2012 **Notice of Taking Deposition**  
 08/29/2012 **Notice of Designation of E-Mail Address**  
 09/04/2012 **Notice of Filing**  
 09/04/2012 **Deposition**  
     *of Billy Charles Goldston*  
 09/06/2012 **Designation of E-Mail Address**  
 09/24/2012 **Affidavit**  
 09/24/2012 **Response**  
 09/24/2012 **Minutes**  
 09/28/2012 **Motion to Compel**  
 10/01/2012 **Request for Production**  
     *third*  
 10/01/2012 **Designation of E-Mail Address**  
 10/02/2012 **Notice of Hearing**

10/02/2012 **Notice of Hearing**  
11/26/12 1:50

10/11/2012 **Request for Production**

10/22/2012 **Order Denying Motion**

10/22/2012 **Notice**  
*of limited dismissal*

11/01/2012 **Request for Production**  
*fourth*

11/05/2012 **Response**

11/05/2012 **Motion**  
*to defer determination*

11/05/2012 **Response**

11/08/2012 **Notice of Hearing**  
3/25/13 10:00

11/13/2012 **Response**

11/21/2012 **Notice of Trial**

11/21/2012 **Response**

11/26/2012 **Minutes**

12/03/2012 **Notice of Taking Deposition**

12/04/2012 **Response**  
*to fourth Request for Production*

12/26/2012 **Response**  
*to notice for trial*

12/27/2012 **Notice of Taking Deposition**

01/18/2013 **Order**  
*Granting in Part and Denying in Part Motion to Compel*

02/05/2013 **Notice of Taking Deposition**

02/06/2013 **Notice of Taking Deposition**

02/21/2013 **Request for Production**

03/04/2013 **Notice of Hearing**  
3/25/13 10:00

03/13/2013 **Request for Production**

03/20/2013 **Response**

03/25/2013 **Minutes**

03/25/2013 **Response**  
*reply to response*

03/27/2013 **Notice of Hearing**  
05/20/13 (Case Management Conference)

04/03/2013 **Motion to Compel**

04/09/2013 **Notice of Taking Deposition**

04/12/2013 **Order**  
*Granting Motion to Defer Determination*

04/16/2013 **Notice of Hearing**  
05/20/13 3:30

04/30/2013 **Amended Notice of Hearing**  
5/16/13 1:30 (previously scheduled for 5/20/13) unsigned

04/30/2013 **Response**

05/02/2013 **Order Setting Non Jury Trial**

05/08/2013 **Notice of Taking Deposition**

05/09/2013 **Response**  
*to motion for protective order*

05/09/2013 **Response**  
*to motion to protect remaining trust assets*

05/14/2013 **Response**  
*to Trustees' Response to Verified Motion to Protect Remaining Trust Assets*

05/15/2013 **Response**  
*to Trustees Response to Foundations Motion for Protective Order Related to Fourth Request for Production*

05/15/2013 **Response**  
*to Trustees Motion to Complete Discovery*

05/16/2013 **Minutes**

05/16/2013 **Affidavit**  
*in support of verified motion*

05/16/2013 **Record of Exhibits Received**

05/20/2013 **Notice of Trial**

05/23/2013 **Notice of Taking Deposition**

06/13/2013 **Response**

06/13/2013 **Response**  
*reply*

06/13/2013 **Response**  
*reply*

06/26/2013 **Order**  
*to protect remaining trust assets*

to protect remaining trust assets

06/26/2013 **Order Setting Non Jury Trial**

06/28/2013 **Notice of Appeal**  
*Non Final Copy Proived to the Judge*

07/03/2013 **Notice of Appeal with Filing Fee Mailed to DCA**

07/10/2013 **Witness List**

07/12/2013 **Notice of Service of Interrogatories**

07/12/2013 **Request for Production**

07/16/2013 **Notice of Hearing**  
*8/26/13 10:30*

07/18/2013 **Acknowledgment from DCA**  
*2D13-3349*

07/18/2013 **Order from DCA**  
*Appeal will Proceed as a Non Final Appeal*

07/18/2013 **Order from DCA**

07/24/2013 **Witness List**

07/26/2013 **Order from DCA**  
*The Order Dated 7-17-13 is Hereby Vacated and This Appeal Is a Final Appeal*

07/26/2013 **Order from DCA**  
*Directing Appellant to Respond within 12 Days to Appellees Motion to Strike*

07/31/2013 **Order from DCA**  
*vacating orders 07/17/2013 and 07/24/2013; appeal is classified as non final*

08/02/2013 **Motion**  
*for Sanctions*

08/06/2013 **Objection**

08/06/2013 **Notice**  
*limited voluntary dismissal*

08/06/2013 **Request for Production**

08/12/2013 **Amended Notice of Hearing**  
*8/26/13 10:30*

08/12/2013 **Order from DCA**  
*13-3349 Motion to Strike Initial Brief is Denied Motion for Referral to Mediation is Denied*

08/13/2013 **Notice of Service of Interrogatories**

08/13/2013 **Request for Production**

08/16/2013 **Response**

08/20/2013 **Notice of Filing**

08/21/2013 **Response**

08/21/2013 **Response**

08/22/2013 **Notice of Filing**  
*Corrected Exhibits to Trustees Motion for Sanctions*

08/26/2013 **Response**  
*to Trust Beneficiaries' Objections to Trustees' Accounting or May 1, 2011-April 30, 2012*

08/26/2013 **Minutes**

08/27/2013 **Notice of Taking Deposition**

08/27/2013 **Notice of Taking Deposition**

08/27/2013 **Notice of Mediation**

08/27/2013 **Answer**  
*reply to response to objection*

08/29/2013 **Notice of Service of Answers to Interrogatories**

09/10/2013 **Response**  
*to Robert Rauschenberg Foundation's request to produce to Darryl Pottorf's Telepone Records*

09/16/2013 **Response**  
*regarding motion for sanctions*

09/16/2013 **Notice of Taking Deposition**

09/17/2013 **Response**  
*Trustee's Request for Production Related to Experts*

09/18/2013 **Order Denying Motion**  
*for sanctions*

09/18/2013 **Order Denying Motion**  
*for protective order*

09/18/2013 **Notice of Taking Deposition**

09/18/2013 **Notice of Service of Answers to Interrogatories**

09/20/2013 **Notice of Hearing**  
*Case Management Conference 10/16/13 at 1:00 pm*

09/24/2013 **Notice of Taking Deposition**

09/24/2013 **Notice of Taking Deposition**

09/24/2013 **Notice of Taking Deposition**

09/26/2013 **Notice of Taking Deposition**

09/26/2013 **Notice of Taking Deposition**

09/26/2013 **Notice of Taking Deposition**

09/30/2013 **Motion**  
*for Protective Order*

10/01/2013	<b>Notice of Cancellation</b> <i>of deposition</i>
10/01/2013	<b>Notice of Mediation</b> <i>results</i>
10/02/2013	<b>Notice of Taking Deposition</b> <i>continued</i>
10/07/2013	<b>Notice of Taking Deposition</b>
10/08/2013	<b>Motion</b> <i>for protective order</i>
10/09/2013	<b>Motion for Continuance</b>
10/09/2013	<b>Exhibit</b> <i>"A" Answers to interrogatories</i>
10/09/2013	<b>Exhibit</b> <i>"B" Curricula Vitae</i>
10/09/2013	<b>Exhibit</b> <i>"C" correspondence</i>
10/14/2013	<b>Response</b> <i>to Robert Rauschenberg Foundations Verified First Motion for Continuance of Trial on Trustees Fees</i>
10/15/2013	<b>Motion</b> <i>for extension of time</i>
10/16/2013	<b>Minutes</b>
10/21/2013	<b>Order from DCA</b>
10/22/2013	<b>Notice of Taking Deposition</b>
10/22/2013	<b>Notice of Taking Deposition</b> <i>amended</i>
10/24/2013	<b>Order of Continuance</b>
10/31/2013	<b>Notice of Trial</b>
11/13/2013	<b>Notice of Taking Deposition</b>
12/02/2013	<b>Notice of Trial</b>
12/05/2013	<b>Notice</b> <i>Case Management Conference</i>
01/02/2014	<b>Notice of Taking Deposition</b>
01/02/2014	<b>Notice of Taking Deposition</b>
01/07/2014	<b>Notice of Taking Deposition</b>
01/13/2014	<b>Notice of Taking Deposition</b>
01/27/2014	<b>Notice of Taking Deposition</b>
01/27/2014	<b>Notice of Taking Deposition</b>
02/05/2014	<b>Motion to Compel</b>

---

**FINANCIAL INFORMATION**


---

	<b>Attorney</b> Winesett, Richard Warner		
	Total Financial Assessment		3.00
	Total Payments and Credits		3.00
	<b>Balance Due as of 02/06/2014</b>		<b>0.00</b>
06/21/2012	Transaction Assessment		3.00
06/21/2012	Court Fees & Fines	Receipt # ODFM-2012-89325	Winesett, Richard Warner
			(3.00)
	<b>Decedent</b> Rauschenberg, Robert		
	Total Financial Assessment		176.00
	Total Payments and Credits		176.00
	<b>Balance Due as of 02/06/2014</b>		<b>0.00</b>
11/30/2011	Transaction Assessment		47.00
11/30/2011	Court Fees & Fines	Receipt # ODFM-2011-177878	Trenam Kemker
			(47.00)
12/12/2013	Transaction Assessment		125.00
12/12/2013	Court Fees & Fines	Receipt # ODFM-2013-198642	Benjamin Wolford
			(125.00)
12/16/2013	Transaction Assessment		4.00
12/16/2013	Court Fees & Fines	Receipt # ODFM-2013-200139	Associated Press
			(4.00)
	<b>Personal Representative &amp; Beneficiary</b> Pottorf, Darryl		
	Total Financial Assessment		762.00
	Total Payments and Credits		762.00
	<b>Balance Due as of 02/06/2014</b>		<b>0.00</b>

09/08/2008	Transaction Assessment			294.00
09/09/2008	Court Fees & Fines	Receipt # ODFM-2008-163139	Winesett, Richard Warner	(294.00)
10/07/2008	Transaction Assessment			5.00
10/07/2008	Court Fees & Fines	Receipt # ODFM-2008-182165	Fort Myers News press	(5.00)
12/16/2008	Transaction Assessment			36.00
12/16/2008	Court Fees & Fines	Receipt # ODFM-2008-225530	Winesett, Richard Warner	(36.00)
01/12/2009	Transaction Assessment			5.00
01/13/2009	Court Fees & Fines	Receipt # ODFM-2009-07341	Smith, Gambrell & Russell	(5.00)
02/09/2009	Transaction Assessment			6.00
02/09/2009	Court Fees & Fines	Receipt # ODFM-2009-26876	Winesett, Richard Warner	(6.00)
02/10/2009	Transaction Assessment			1.00
02/10/2009	Court Fees & Fines	Receipt # ODFM-2009-27651	cash	(1.00)
02/10/2009	Transaction Assessment			17.00
02/10/2009	Court Fees & Fines	Receipt # ODFM-2009-27674	Kevin Pottorf	(17.00)
03/19/2009	Transaction Assessment			4.00
03/19/2009	Court Fees & Fines	Receipt # ODFM-2009-53703	Winesett, Richard Warner	(4.00)
04/07/2009	Transaction Assessment			18.00
04/07/2009	Court Fees & Fines	Receipt # ODFM-2009-66025	Winesett, Richard Warner	(18.00)
04/21/2009	Transaction Assessment			39.00
04/21/2009	Court Fees & Fines	Receipt # ODFM-2009-74678	ALAN SHAPIRO	(39.00)
07/24/2009	Transaction Assessment			5.00
07/24/2009	Court Fees & Fines	Receipt # ODFM-2009-134486	University of Miami	(5.00)
11/16/2009	Transaction Assessment			5.00
11/16/2009	Court Fees & Fines	Receipt # ODFM-2009-213929	Fredericka Hunter	(5.00)
12/30/2013	Transaction Assessment			327.00
12/30/2013	Court Fees & Fines	Receipt # ODFM-2013-207494	Beller Smith PL	(327.00)