

IN THE CIRCUIT COURT OF THE
SECOND JUDICIAL CIRCUIT IN AND
FOR LEON COUNTY, FLORIDA.

GENERAL JURISDICTION DIVISION

CASE NO. 04-CA-000559

IN RE ASSIGNMENT OF CERTAIN
LOTTERY PAYMENTS OF
CARL DORÉLIEN

MARIE JEANNE JEAN, Plaintiff,

CASE NO. 04-CA-001525

v.

CARL DORÉLIEN, Defendant.

**RENEWED MOTION BY PLAINTIFF AND JUDGMENT CREDITOR MARIE JEANNE
JEAN FOR ENFORCEMENT OF MONEY JUDGMENT AGAINST DEFENDANT AND
JUDGMENT DEBTOR CARL DORÉLIEN**

Plaintiff and Judgment Creditor, Marie Jeanne Jean ("Marie Jean"), through her undersigned counsel, hereby requests that this Honorable Court issue an order directing Assignee Lump Sum Capital, LLC and Argonne Trust 2003-1 to pay all monies currently on escrow deposit with Northern Trust Bank pursuant to this Court's Order dated September 10, 2004 (attached as Exhibit A) to her undersigned counsel, in trust, in partial satisfaction of her judgment against Defendant and Judgment Debtor Carl Dorélien ("Dorélien"). In support of her motion, Marie Jean states:

On December 3, 2004, this Court entered an Order recognizing a foreign money judgment granted in favor of Marie Jean against Dorelien, pursuant to which Dorélien was ordered to pay one billion Haitian gourdes (the "Judgment"). Pursuant to the Court's Order, the "the Judgment shall be enforced in the State of Florida in the same manner as a judgment of this Court." (See Exhibit B, Order, dated December 3, 2004, at ¶ 4.)

On June 22, 2005, this Court heard Marie Jean's motion to enforce the Judgment, and Dorélien's motion for rehearing, amendment of judgment, and relief from judgment. The Court denied all of the motions; but granted Marie Jean leave to renew her motion to enforce the Judgment after 45 days. In particular, the Court's order, signed on June 27, 2005, provides:

3. Dorelien shall have forty-five (45) days from the date of the hearing on this matter, 22 June 2005, within which to evidence to this Court that an appeal has been taken as to the judgment of the Haitian courts for one billion Haitian gourdes, said judgment being the one previously domesticated by Order of this Court and underlying the Florida judgment against Dorelien in possession of Marie Jean.

4. Should Dorelien fail to evidence such appeal within forty-five (45) days, then this Court *shall* grant the Motion of Marie Jeanne Jean to Enforce Judgment and *shall* allow Marie Jean to enforce said judgment against the monies being held in escrow by prior order of this Court.

(See Exhibit C, Order Denying Dorélien's Motion for Rehearing, Amendment of Judgment, and Relief from Judgment, and Denying Motion of Marie Jeanne Jean to Enforce Judgment, at ¶¶ 3-4 (emphasis added).

The forty-five day deadline has passed, and Dorélien has failed to file evidence showing that he has appealed the judgment of the Haitian court. Accordingly, Marie Jean is now entitled to enforce the Judgment against the monies currently held in escrow with Northern Trust Bank.

WHEREFORE, Plaintiff Marie Jeanne Jean requests that this Court enter an order granting her motion to enforce judgment and directing Assignee Lump Sum Capital, LLC and Argonne Trust 2003-1 to pay all monies currently on escrow deposit with Northern Trust Bank pursuant to this Court's Order dated September 10, 2004 to her undersigned counsel, in trust.

Further, Marie Jean requests that the Court not deny this motion without first granting an evidentiary hearing so she may offer evidence, including expert testimony, to rebut any admissible evidence relied upon by Dorélien in support of his position that the Judgment is no longer in full force and effect in Haiti.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served by fax and U.S. mail, this 17th day of August, 2005 to: Kurt R. Klaus, Esq., Law Offices of Kurt R. Klaus, Jr., 3191 Coral Way, Suite 402-A, Miami, FL 33145 and Christian N. Scholin, Esq., 505 S. Flagler Drive, Suite 400, West Palm Beach, FL 33401, attorneys for Carl Dorélien; and Scott M. Behren, Esq., 2853 Executive Park Drive, Suite 103, Weston, FL 33326, attorney for Lump Sum Capital, LLC and Argonne Trust 2003-1.



Thomas E. Bishop, Esq.