

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT  
IN AND FOR ORANGE COUNTY FLORIDA

ZENAIDA GONZALEZ,

Plaintiff,

Case No. 2008-CA-24573

v.

CASEY ANTHONY,

Defendant.

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**DEFENDANT'S MOTION TO ABATE TRIAL DEADLINES OR,  
ALTERNATIVELY, CONTINUE TRIAL**

Defendant Casey Anthony, by the undersigned counsel, hereby moves the Court to abate trial deadlines and postpone hearings on all trial-related motions until after the Court rules on the two pending summary judgment motions or, alternatively, moves to continue the trial of this matter for a minimum of sixty (60) days to enable the Court to analyze the extensive summary judgment materials at a deliberate pace. In support hereof, Ms. Anthony states as follows:

1. On February 15, 2012, Plaintiff filed a Motion For Partial Summary Judgment. Although Plaintiff's one and one-half page motion is short on proof, that motion, together with other admissions of Plaintiff, concede the material facts in this case supporting Defendant's Motion For Summary Judgment.

2. On February 27, 2012, Defendant filed her Motion for Summary Judgment. That fifty-six (56) page motion demonstrates in considerable detail that the material facts in this case are undisputed and that Ms. Anthony is entitled to judgment as a matter of law. Both summary judgment motions are scheduled to be heard on March 23, 2012 (along with a plethora of other motions).

3. Because defamation cases are subject to abusive pleading and are required to meet exacting standards of proof, the trial courts in Florida have been instructed to exercise a “prominent function” in determining whether a defamation case should be submitted to a jury. *See Byrd v. Hustler Magazine*, 433 So.2d 593, 595 (4<sup>th</sup> DCA 1983). The Plaintiff’s own admissions in her deposition, the original statements that Plaintiff contends contain the “defamation,” and other proof before this Court demonstrates conclusively that this case wholly lacks merit and should be dismissed with prejudice.

4. Although the Court’s role as “gatekeeper” is always important, it is particularly important in this case where it is anticipated that the taxpayers of Orange County will pay enormous costs for the increased security and other accommodations that will have to be made for a trial that is already being billed by the media as “Casey Anthony II.” The media

circus attending the first Anthony trial is about to be repeated for no good reason.

5. In an effort to avoid the unnecessary waste of judicial resources (and an unjust dissipation of the resources of the parties), Ms. Anthony requests that the Court abate the deadlines for all pre-trial motions, hearings, and other matters related to the trial of this case. Defendant proposes that the only matters to be heard March 23, 2012, should be the two opposing motions for summary judgment. Given the high likelihood for this Court to grant Defendant's motion for summary judgment, it would be a tremendous waste of time and money (of the Court and of the parties) to file and have heard various motions in limine, motions to strike, motions to compel, and other similar motions, only to later have the case summarily resolved.

6. If the Court is reluctant to abate the deadlines, then Ms. Anthony requests a continuance of the trial and all trial-related deadlines that have not already expired for a minimum of sixty (60) days, and also requests that hearings on all trial-related motions be continued as well.

7. This motion is made in good faith and not for purposes of delay.

8. Ms. Anthony has approved the continuance portions of this motion by her attached written consent.

WHEREFORE, Defendant moves the Court to abate trial deadlines and postpone hearings on all trial-related motions until after the Court rules on the two pending summary judgment motions or, alternatively, requests the Court continue the trial of this matter for a minimum of sixty (60) days to enable the Court to review the extensive, meritorious defense summary judgment motion at a deliberate pace.

Respectfully submitted,

/s/Charles M. Greene

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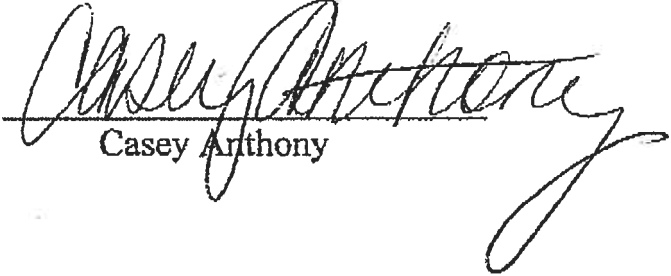
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*Attorneys for Defendant*

**CONSENT TO MOTION**

I, CASEY ANTHONY, have read the foregoing Motion to Abate Trial Deadlines or, Alternatively, Continue Trial, and by my signature below, assent to its filing pursuant to Fla.R.Civ.P. 1.460.

  
Casey Anthony

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on February 29, 2012, I electronically filed the foregoing with the Clerk of the Courts by using the ECF system, which will send a notice of electronic filing to counsel of record, including: John B. Morgan, Esquire, Keith R. Mitnik, Esquire, and John W. Dill, Esquire, Morgan & Morgan, P.A., P.O. Box 4979, Orlando, Florida 32802-4979.

/s/Charles M. Greene  
Charles M. Greene