

IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT IN
AND FOR PALM BEACH COUNTY,
FLORIDA
Family Division
Case No. 501971DR004137XXDIFD

In Re Marriage of
WILLIAM A. CABANA

Petitioner, Former Husband, pro se

and

SHARON ANN MAYO f/k/a

SHARON ANN CABANA

Respondent, Former Wife

COPY
ORIGINAL RECEIVED FOR FILING

SEP 21 2005

SHARON R. BOCK
CLERK & COMPTROLLER
FAMILY DIVISION

**Former Husband's Certificate Of Compliance With Former Wife's Request
To Cease Sending Copies Of Subpoenas To Non-Parties**

I, WILLIAM A. CABANA, certify that I have complied with the Request to Cease Sending
Copies of Subpoenas to Non-Parties as follows:

1. On August 5, 2005, a letter was sent from opposing counsel and received on approx.

August 8th requesting Former Husband to cease sending copies of subpoenas to non-
parties. Exhibit A

2. Previously, Former Husband had receive copies of the Notice of Production from Non-
party along with a copy of a subpoena sent to his bank and other non-parties by opposing
counsel. He mistakenly thought that it was the correct procedure for sending out a Notice
of Production from Non-party to include the copy of the subpoena with it and did not
check the applicable rules of procedure.

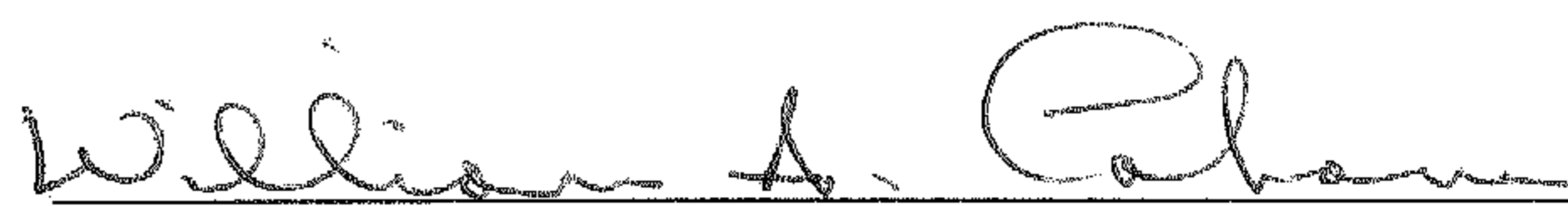
3. Prior to opposing counsel's request, Former Husband had sent Notices of Production with copies of unsigned subpoenas to the non-parties shown below in paragraphs (a.) thru (d.) and dated as indicated on the County Clerk's website docket schedule:

- a. Wachovia Bank, NA – July 27, 2005 (See note below) (DE 194)
- b. Hyman Zacharia – July 27, 2005. (See note below) (DE 193)
- c. Benjamin Malvinni – July 27, 2005 (See note below) (DE 194)
- d. Bell South – August 1, 2005 (DE 198)

Note: due to a typographical error, items a, b. & c. had the Certificate of Service dated May 25, 2005 instead of July 25, 2005.

4. Former Husband admits he was in error in sending copies of the subpoenas to non-parties along with the Notice of Production from Non-party. The error was not willful, meant to harass, or be dilatory. It was a "good faith misunderstanding of the rules" and will not be repeated again now that it has been brought to his attention.
5. Former Husband apologizes to the court and opposing counsel for his error.

I certify that a copy of this Certificate Of Compliance With Former Wife's Request to Cease Sending Copies Of Subpoenas To Non-Parties was mailed to Cathy L. Kamber, Esq., 1675 Palm Beach Lakes Boulevard, The Forum, Tower A, Suite 700, West Palm Beach, FL 33401, this 16th day of September, 2005.



William A. Cabana, pro se
1050 Capri Isles Blvd., Apt F-105
Venice, FL 34292
Telephone/Fax: 941-480-1395
Email: bcabana2@comcast.net

CATHY L. KAMBER, P.A.

ATTORNEYS AT LAW
1675 PALM BEACH LAKES BOULEVARD
THE FORUM, TOWER A
SUITE 700
WEST PALM BEACH, FLORIDA 33401

CATHY L. KAMBER
ADMITTED TO PRACTICE IN FLORIDA AND NEW YORK
KENNETH H. RENICK
RETIRED

TELEPHONE
(561) 868-1602
FAX NO.
(561) 868-1544

August 5, 2005

Via Certified Mail

Mr. William A. Cabana
1050 Capri Isles Blvd., #F105
Venice, FL 34292

Re: Former Marriage of Cabana

Dear Mr. Cabana:

I am advised that, contrary to rules, you have furnished to BellSouth a copy of the Notice of Production from Non Party and proposed Subpoena in an improper manner, prior to the expiration of the time for Former Wife to object. Pursuant to the rules, the non parties are not to receive copies of the subpoena or notices until the expiration of the time for objection, and then only in the manner permitted by the rules. You are notified that, upon any subsequent violations of this rule, the appropriate Motion for Sanctions and for Attorney's Fees will be filed.

Very truly yours,

CATHY L. KAMBER, P.A.

By: 

Cathy L. Kamber

CLK/rlg

cc: Ms. Sharon Mayo

EXHIBIT A