

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 12CV 24244

**The attached hand-written
document
has been scanned and is
also available in the
SUPPLEMENTAL
PAPER FILE**

(Rev. 10/2002) General Document

UNITED STATES DISTRICT COURT
Southern District of Florida

Case Number: 1:12-cv-24244-EGT

Kilowatts Electric Supply, Corp.
represented by: Jesus Sanchelima

Plaintiff(s)

v.

Kilowatt Depot Corp.
Carlos A. Abad.
Self represented

Defendant(s)

FILED by RAV D.C.
OCT 10 2013
STEVEN M. LARIMORE
CLERK U. S. DIST. CT.
S. D. of FLA. - MIAMI

Motion on Consent for extension of time to complete mediation.
(TITLE OF DOCUMENT)

I, Carlos A. Abad. plaintiff or defendant, in the above styled cause,
Buenas Tardes ~~Torres~~ Magistrate Judge Edwin G Torres.

I need an extension of time because, I just notified that the volunteer lawyers program is taking my case, to look at everything that went on this lawsuit. It looks like I finally will be able to defend my self and get this resolved the best way possible for me. Also, I ~~am~~ have to move sometime in the next two weeks with wife, son and dog and I'm looking to find a place that could be safe for them and its on my budget.

I am going through some struggles but nothing that can get resolved. I'm trying to do my best to resolved this matter the best way possible under the Courts of Law.

Thank you Magistrate for your time.

(Rev. 10/2002) General Document

Thank you again for your time.

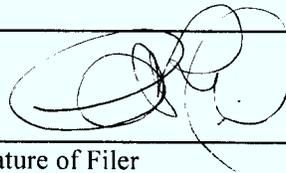
Carlos A. Abood

Certificate of Service

I Carlos A. Abood, certify that on this date 10-13-13 a true copy of the foregoing document was mailed to: 235 SW LeJeune Rd, Mia, FL 33134.
name(s) and address(es)

Phone # 305-447-1617. I try contacting them by phone,

By: Carlos A. Abood



Printed or typed name of Filer

Signature of Filer

Florida Bar Number

E-mail address

305-582-1365

Phone Number

Facsimile Number

7240 NW 114 ave apt 206

Street Address

Mia, FL 33178

City, State, Zip Code

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Kilowatts Electric Supply, Corp.

Plaintiff,

v.

CASE NO. 12-CV-24244 – TORRES

Kilowatt Depot Corp.,
a Florida corporation, and,
Carlos A. Abad, individually

Defendants,

_____ /

PLAINTIFF’S MOTION FOR COURT TO APPOINT MEDIATOR

Plaintiff, Kilowatts Electric Supply, Corp. (hereinafter “Plaintiff”), by and through its undersigned attorneys, respectfully moves this Court to appoint a mediator. As grounds Plaintiff states as follows:

1. Plaintiff has contacted Defendant Carlos A. Abad, through telephone calls and written correspondences (attached hereto as *Exhibit 1*), to agree on a mediator and set a date for mediation.
2. Plaintiff proposed David Tobin and, as an alternative, David H. Salmon as possible mediators.
3. Defendant Carlos A. Abad has rejected the proposed mediators and has not proposed any alternatives.
4. On October 7, 2013, Plaintiff sent a letter to Defendant Carlos A. Abad to respond to our attempts to find a mutually agreeable mediator and schedule the mediation to be completed by October 21, 2013. *Exhibit 2*.

5. Between 4:30 – 5:00 pm, on October 10, 2013, Defendant Carlos A. Abad made an unannounced visit to the office of Plaintiff’s counsel and delivered a copy of Defendant’s “Motion on Consent for Extention of Time to Complete Mediation” [D.E. 65] that had been filed earlier that day.

6. Defendant Carlos A. Abad had not conferred with Plaintiff regarding the motion “on consent” for an extension of time to complete mediation prior to filing the motion. Thus Plaintiff has not consented to said motion.

7. The parties will most likely fail to complete mediation by October 21, 2013 absent an intervention by the Court to appoint a mediator.

Plaintiff has contacted Defendant Carlos A. Abad prior to filing this motion but was unable to resolve the matter.

WHEREFORE, Plaintiff, Kilowatts Electric Supplies, Corp., respectfully requests that this Court appoint a mediator so that the parties may complete mediation by October 21, 2013.

Respectfully submitted,

SANCHELIMA & ASSOCIATES, P.A.
Attorneys for **Plaintiff**
235 S.W. Le Jeune Rd.
Miami, Florida 33134
Telephone: (305) 447-1617
Telecopier: (305) 445-8484

By: *s/ Jesus Sanchelima, Esq.*
Jesus Sanchelima, Esq.
FBN 231207

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 11, 2013, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro-se parties identified in the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

s/ Jesus Sanchelima, Esq.

SERVICE LIST

Via U.S. Mail

Kilowatt Depot Corp.
9450 NW 58th Street, Suite 101
Doral, Florida 33178

Via U.S. Mail

Carlos A. Abad
7240 NW 114 Ave, Apt 206
Miami, Florida 33173

“Exhibit 1”

Sanchelima & Associates, P.A.
Attorneys at Law

Patent, Trademark & Copyright Law

J. Sanchelima, Reg. Patent Attorney
Saul Escobar, Esq.
C. J. Sanchelima, Patent Agent

Tel: 305-447-1617
Fax: 305-445-8484
jesus@sanchelima.com
www.sanchelima.com

September 6, 2013

Mr. Carlos Abad
9450 NW 58th Street, Suite 101
Doral, Florida 33178

Via U.S. Mail

Re: v. Kilowatt Depot Corp. (Kilowatt Depot)
Our File No.: 320398.1

Dear Mr. Abad,

Pursuant to the Court Order, mediation must be completed by September 19, 2013. We propose David Tobin as the mediator for this matter. Please contact our office by Friday, September 13, 2013 to schedule mediation accordingly.

Very truly yours,



Jesus Sanchelima, Esq.

File
JS/cd

Sanchelima & Associates, P.A.

PATENTS, TRADEMARKS & COPYRIGHTS

235 S.W. Le Jeune Road • Miami, FL 33134-1762

Mr. Carlos Abad
9450 NW 58th Street, Suite 101
Doral, Florida 33178

Via U.S. Mail

(Willett Depot)

Sanchelima & Associates, P.A.
Attorneys at Law

Patent, Trademark & Copyright Law

J. Sanchelima, Reg. Patent Attorney
Saul Escobar, Esq.
C. J. Sanchelima, Patent Agent

Tel: 305-447-1617
Fax: 305-445-8484
jesus@sanchelima.com
www.sanchelima.com

September 6, 2013

Mr. Carlos Abad
9737 NW 41 Street, Suite 204
Miami, Florida 33178

Via U.S. Mail

Re: v. Kilowatt Depot Corp. (Kilowatt Depot)
Our File No.: 320398.1

Dear Mr. Abad,

Pursuant to the Court Order, mediation must be completed by September 19, 2013. We propose David Tobin as the mediator for this matter. Please contact our office by Friday, September 13, 2013 to schedule mediation accordingly.

Very truly yours,



Jesus Sanchelima, Esq.

File
JS/cd

Sanchelima & Associates, P.A.

PATENTS, TRADEMARKS & COPYRIGHTS

235 S.W. Le Jeune Road • Miami, FL. 33134-1762

Mr. Carlos Abad
9737 NW 41 Street, Suite 204
Miami, Florida 33178

Via U.S. M

Re: v. Kilowatt Depot Corp. (Kilowatt Denot)

Sanchelima & Associates, P.A.

Attorneys at Law

Patent, Trademark & Copyright Law

J. Sanchelima, Reg. Patent Attorney
Saul Escobar, Esq.
C. J. Sanchelima, Patent Agent

Tel: 305-447-1617
Fax: 305-445-8484
jesus@sanchelima.com
www.sanchelima.com

September 16, 2013

Mr. Carlos Abad
9737 NW 41 Street, Suite 204
Miami, Florida 33178

Via U.S. Mail

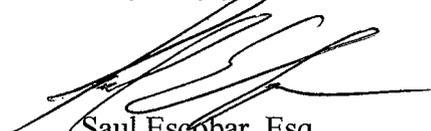
Re: v. Kilowatt Depot Corp. (Kilowatt Depot)
Our File No.: 320398.1

Dear Mr. Abad,

Pursuant to the recently issued Court Order [D.E. 61], the Court has extended our mediation deadline to October 21, 2013. On September 6, 2013 we mailed a letter to you proposing David Tobin as the mediator for this matter. In that letter we asked that you please contact our office by September 13, 2013 to schedule the mediation. As it stands, you have not contacted us to either schedule mediation or propose a different mediator.

It is important that we cooperate to complete mediation by the time set in the Court Order. We therefore request that you contact our office to discuss the completion of mediation by October 21, 2013.

Very truly yours,



Saul Escobar, Esq.

Sanchelima & Associates, P.A.

Attorneys at Law

Patent, Trademark & Copyright Law

J. Sanchelima, Reg. Patent Attorney
Saul Escobar, Esq.
C. J. Sanchelima, Patent Agent

Tel: 305-447-1617
Fax: 305-445-8484
jesus@sanchelima.com
www.sanchelima.com

September 16, 2013

Mr. Carlos Abad
7240 NW 114 Ave., Apt 206
Doral, Florida 33178

Via U.S. Mail

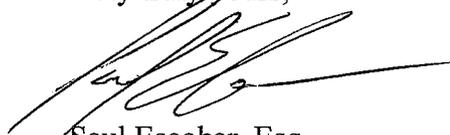
Re: v. Kilowatt Depot Corp. (Kilowatt Depot)
Our File No.: 320398.1

Dear Mr. Abad,

Pursuant to the recently issued Court Order [D.E. 61], the Court has extended our mediation deadline to October 21, 2013. On September 6, 2013 we mailed a letter to you proposing David Tobin as the mediator for this matter. In that letter we asked that you please contact our office by September 13, 2013 to schedule the mediation. As it stands, you have not contacted us to either schedule mediation or propose a different mediator.

It is important that we cooperate to complete mediation by the time set in the Court Order. We therefore request that you contact our office to discuss the completion of mediation by October 21, 2013.

Very truly yours,



Saul Escobar, Esq.

Sanchelima & Associates, P.A.
Attorneys at Law

Patent, Trademark & Copyright Law

J. Sanchelima, Reg. Patent Attorney
Saul Escobar, Esq.
C. J. Sanchelima, Patent Agent

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Fax: 305-445-8484
jesus@sanchelima.com
www.sanchelima.com

September 16, 2013

Mr. Carlos Abad
9450 NW 58th Street, Suite 101
Doral, Florida 33178

Via U.S. Mail

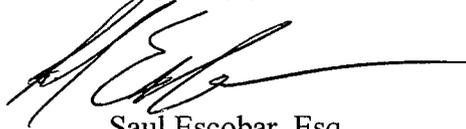
Re: v. Kilowatt Depot Corp. (Kilowatt Depot)
Our File No.: 320398.1

Dear Mr. Abad,

Pursuant to the recently issued Court Order [D.E. 61], the Court has extended our mediation deadline to October 21, 2013. On September 6, 2013 we mailed a letter to you proposing David Tobin as the mediator for this matter. In that letter we asked that you please contact our office by September 13, 2013 to schedule the mediation. As it stands, you have not contacted us to either schedule mediation or propose a different mediator.

It is important that we cooperate to complete mediation by the time set in the Court Order. We therefore request that you contact our office to discuss the completion of mediation by October 21, 2013.

Very truly yours,



Saul Escobar, Esq.

Sanchelima & Associates, P.A.
Attorneys at Law

Patent, Trademark & Copyright Law

J. Sanchelima, Reg. Patent Attorney
Saul Escobar, Esq.
C. J. Sanchelima, Patent Agent

Tel: 305-447-1617
Fax: 305-445-8484
jesus@sanchelima.com
www.sanchelima.com

September 20, 2013

Mr. Carlos Abad
7240 NW 114 Ave., Apt 206
Doral, Florida 33178

Via U.S. Mail

Re: v. Kilowatt Depot Corp. (Kilowatt Depot)
Our File No.: 320398.1

Dear Mr. Abad,

Pursuant to the Court Order [D.E. 61], the Court has extended the mediation deadline to October 21, 2013. On September 6, 2013 we mailed a letter to you proposing a mediator for this matter. In that letter we asked that you please contact our office by September 13, 2013 to schedule the mediation. Subsequently we mailed you a second letter dated September 16, 2013 regarding the same. To date you have not made contact with us.

We would like to propose David H. Salmon as an alternative to David Tobin. Perhaps he would be a less expensive option in order to comply with our required mediation. It is imperative that you contact our office immediately since the deadline provided by Magistrate Judge Edwin Torres is approaching.

Lastly, we have not received your initial disclosures. The deadline to produce your initial disclosures has elapsed since June 27, 2013. If we do not hear from you by Friday, September 27, 2013 we will proceed to file a motion to compel.

Very truly yours,



Jesus Sanchelima, Esq.

File
JS/cd

“Exhibit 2”

Sanchelima & Associates, P.A.
Attorneys at Law

Patent, Trademark & Copyright Law

J. Sanchelima, Reg. Patent Attorney
Saul Escobar, Esq.
C. J. Sanchelima, Patent Agent

Tel: 305-447-1617
Fax: 305-445-8484
jesus@sanchelima.com
www.sanchelima.com

October 7, 2013

Mr. Carlos Abad
7240 NW 114 Ave., Apt 206
Doral, Florida 33178

Via U.S. Mail

Re: v. Kilowatt Depot Corp. (Kilowatt Depot)
Our File No.: 320398.1

Dear Mr. Abad,

As we have discussed, pursuant to the Court Order [D.E. 61], we have been ordered to complete mediation by October 21, 2013. Since the said order has issued, we have contacted you various times to schedule our mediation.

On September 6, 2013 we mailed a letter to you proposing a mediator for this matter. In that letter we asked that you please contact our office by September 13, 2013 to schedule the mediation. Subsequently we mailed you a second letter dated September 16, 2013 regarding the same. Also, on September 20, 2013 we mailed you a third letter proposing an alternate mediator. Apart from these letters, I have personally spoken with you regarding this matter on September 23, 2013, September 26, 2013, and September 30, 2013. These conversations have not achieved any progress in meeting our deadline for mediation.

If you do not respond to us immediately, we will have no option but to request the Court to appoint a mediator for us. Thank you.

Very truly yours,



Saul Escobar, Esq.

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Kilowatts Electric Supply, Corp.

Plaintiff,

v.

CASE NO. 12-CV-24244 – TORRES

Kilowatt Depot Corp.,
a Florida corporation, and,
Carlos A. Abad, individually

Defendants,

_____ /

**[PROPOSED] ORDER FOR PLAINTIFF’S MOTION FOR
COURT TO APPOINT MEDIATOR**

The Court, having considered Plaintiff’s Motion for Court to Appoint Mediator,

HEREBY ORDERES that Plaintiff’s Motion for Court to Appoint Mediator is

_____.

DATED this ____ day of _____, 2013.

Edwin G. Torres
United States Magistrate Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 12 cv 24244 - EGT

**The attached hand-written
document
has been scanned and is
also available in the
SUPPLEMENTAL
PAPER FILE**

(1" from top of page, and centered, begin title of Court)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 12-24244 -CV- Torres
(Judge's Last Name/Magistrate's Last Name)

Carlos A. Abad individual

Kilowatt Depot Corp.

(Full Name of Plaintiff/s),

Plaintiff (s)

vs.

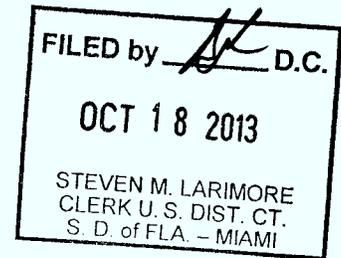
Kilowatts Electric Supply

Sanchelima and Associates

(Full Name of Defendant/s),

Defendant(s).

Response to motion /



TITLE OF DOCUMENT

I, Carlos A. Abad [plaintiff or defendant], in the above styled

cause, I have requested and extension for mediation.

on my prior motion, I mentioned that the

Volunteers lawyers program will be taking my case, as

soon as I meet with the lawyer they choose for me, I

will be going for arrangements to finish this case

the best way possible. I have not refuse ever,

about going for mediation, the main reason I have not ~~not~~ acquired a mediator from the two that Sanchelima mention was the price and the discomfort of knowing that Plaintiff is choosing who I go with.

Judge. Please allowe me to talk to a lawyer ~~that~~ appointed from the Volunteers lawyer project, so I can legal help the right way.

I have been delight with Sanchelima as well as the courts. I have been looking for help for the past 8 months. I lost my company, my stability, almost ^{lost} my family "thank god, I have god". I had to start all over again, lost my partners. You can say that I almost lost it all, but I believe in Justice and ~~god~~ God ~~has~~ my back.

I have not done anything wrong to be in this position. I just want to be heard. ~~and~~

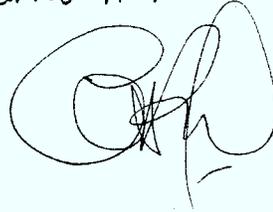
On monday October 21 I will be traveling to Chicago, to the Solar Power International 2013. to check the chances of me getting a job

→

In my Industry! "Solar Photovoltaic".

All I want for this case is Justice, please
let me have a chance for it.

Thank you Carlos A. Abad

A handwritten signature in black ink, appearing to be 'CA Abad', written in a cursive style.

10-18-2013

Dated: Month, day, year

Respectfully submitted,

Carlos A. Head

Name of Filer

Attorney Bar Number (if applicable)

Attorney E-mail Address (if applicable)

Firm Name (if applicable)

Street Address

City, State, Zip Code

Telephone: 305-582-1365

Facsimile:

Attorneys for Plaintiff/Defendant [Party name(s)] (if applicable)

Certificate of Service

I hereby certify that a true and correct copy of the foregoing was served by

235 SW LeJeune Rd ^{apart:} 33124 [specify method of service] on 10-18-13 [date]

on all counsel or parties of record on the Service List below.

Signature of Filer

SERVICE LIST

Sanchelima & Associates.

Party or Attorney Name

Party or Attorney Name

Attorney E-mail Address (if applicable)

Attorney E-mail Address (if applicable)

Firm Name (if applicable)

Carlos Abad Individual

Firm Name (if applicable)

235 SW LeJeune Rd.

Street Address

Street Address

Miami, FL, 33134.

City, State, Zip Code

City, State, Zip Code

Telephone: 305 - 447-1617

Telephone: _____

Facsimile: _____

Facsimile: _____

Attorneys for Plaintiff/Defendant
[Party's Name(s)] (if applicable)

Attorneys for Plaintiff/Defendant
[Party's Name(s)] (if applicable)

**VOLUNTEER LAWYERS' PROJECT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

3750 MIAMI TOWER
100 SOUTHEAST SECOND STREET
MIAMI, FLORIDA 33131-2309
TELEPHONE (305) 373-4334
FACSIMILE (305) 358-0910

October 7, 2013

Mr. Carlos A. Abad
7240 NW 114th Avenue
Apartment 206
Miami, FL 33178

RE: **Kilowatts Electric Supply, Corp. v. Kilowatt Depot Corp.**
Case No. 12-24244-Civ-Torres

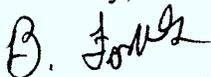
Dear Mr. Abad:

As discussed in our telephone conversation on October 7, 2013, your case has been found eligible for participation in our program. We are currently attempting to find an attorney to take your case on a *pro bono* basis (without charging for their services). We cannot guarantee that we will be able to find you representation but we will work diligently to try to obtain an attorney for you. In the event that an attorney agrees to take your case on a *pro bono* basis, we will notify you immediately. **As discussed, if your financial situation changes and you are able to pay for an attorney, we expect you to do so.**

Please be advised that you are totally responsible for your lawsuit until an attorney files a notice of appearance on your behalf. Therefore, for the time being, you must continue to deal with any matter related to your case on your own, most especially responding to all Court imposed deadlines.

If you should have any questions or concerns or **if the above is contrary to your wishes, please do not hesitate to contact me.** I hope to be contacting you soon with the name of an attorney.

Sincerely,



B. Forbes
Project Assistant

An independent agency in service to the United States District Court
for the Southern District of Florida