

IN THE FLORIDA SUPREME COURT
Case No. SC01-2678

FILED
THOMAS D. HALL
DEC 14 2001

IN RE: GUARDIANSHIP OF
THERESA MARIE SCHIAVO,
Incapacitated.

CLERK, SUPREME COURT
BY _____

MICHAEL SCHIAVO, as guardian of the
person of THERESA MARIE SCHIAVO,
Petitioner/Appellee,

Petition from Second District
Court of Appeal Case No. 2D01-3626

vs.

ROBERT SCHINDLER and MARY
SCHINDLER,

Respondents/Appellants.

MOTION TO STAY SUPREME COURT PROCEEDINGS

COMES NOW the Petitioner/Appellee, MICHAEL SCHIAVO, as guardian of the
person of THERESA MARIE SCHIAVO, and states:

1. The parties to this cause are the ward's family members who have been
involved in a bitter dispute regarding her medical condition and her right to forego life-
prolonging medical procedures. This dispute has resulted in three decisions of the Second
District Court of Appeal, 780 So.2d 176 (Fla. 2d DCA 2001), 792 So.2d 551 (Fla. 2d
DCA 2001), and 2001 WL 1230544 (Fla. 2d DCA), the last of which is the subject of the
guardian's pending request to invoke the discretionary jurisdiction of this court.

2. The parties have agreed to mediate their disputes, and their mediation is
scheduled for December 19, 2001.

3. It would be counterproductive for the parties to now engage in litigation before
this court while their efforts at mediation are pending. Further, should the parties'

*See order dated
1-10-02*

mediation be successful, the terms of such a mediation agreement may very well dispose of the current matter before this court.

4. As a result, it is in the best interests of the parties to stay the proceedings before this court at the current time.

5. Petitioner certifies that he has consulted with opposing counsel in this matter and that the undersigned is authorized to represent that opposing counsel has no objection to this motion.

WHEREFORE, petitioner respectfully requests this court to enter an order:

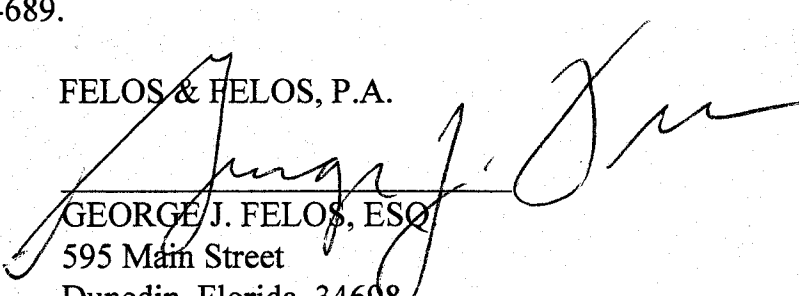
A. Staying this proceeding until the earlier of sixty days from the date herein, or until notice is filed by either counsel that the parties' mediation effort is at an impasse;

B. Requiring service of the initial jurisdictional brief within fifteen days of the date the stay is terminated as determined above; and

C. For such other and further relief this court deems just and proper.

I HEREBY CERTIFY that a copy of the foregoing was furnished by U. S. Mail this 11th day of Dec., 2001, to: Patricia Fields Anderson, Esq., 447 3rd Avenue N., Suite 405, St. Petersburg, Florida, 33701; and Lawrence D. Crow, Esq., 1247 South Pinellas Avenue, Tarpon Springs, Florida, 34689.

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