

**IN THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR MANATEE COUNTY, FLORIDA**

MARY LOU SMITH
an individual, and
SHARON DENSON,
an individual

Plaintiffs,

vs.

CASE NO.: 08 CA 11315
Division: B

TRAILER ESTATES PARK AND
RECREATION DISTRICT,
an independent special taxing district,
JANET JONES, an individual,
JOHN VANDERMOLEN, an individual,
JOSEPH SALERNO, an individual, and
MARY LOU MCNULTY, an individual

Defendants.

ORDER ON DEFENDANTS' MOTION TO STRIKE

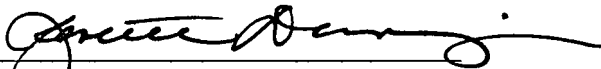
THIS CAUSE, having come to be heard on Defendants', Trailer Estates Park and Recreation District's, Janet Jones', John Vandermolen's, Joe Salerno's, and Mary Lou McNulty's Motion to Strike and the Court having heard argument of counsel on August 13, 2009, and being otherwise advised in the Premises, ORDERS AND ADJUDGES that:

- 1) Defendants' Motion to Strike the language in paragraphs 37, 37m, 62, 64 and 67 of the Plaintiffs Amended Complaint "including but not limited to" is denied.
- 2) The Court considers the Motion to Strike as inappropriate, but that a Motion for More Definite Statement is appropriate and orders the Plaintiffs to file a second amended complaint within 10 days from the date of this order, which amends and clarifies only paragraphs 37, 37m, 62, 64, and 67 of the Amended Complaint. The Defendants shall serve a response to the Amended Complaint within 10 days.

FILED FOR RECORD
R.B. SHORE
2009 AUG 17 PM 4:44
CLERK OF CIRCUIT COURT
MANATEE CO., FLORIDA

DONE AND ORDERED in Chambers, in Manatee County, Florida this 14 day of August,
2009.

HONORABLE JUDGE JANETTE DUNNIGAN


Circuit Judge

Copies furnished to:

Kevin S. Hennessy, Esquire
Lewis, Longman & Walker, P.A.
1001 3rd Avenue West, Suite 670
Bradenton, FL 34205

Hunter Carroll, Esquire
Matthews, Eastmoore, Hardy, Crauwels & Garcia, P.A.
1777 Main Street, Suite 500
Sarasota, FL 34236

James D. Dye, Esquire
Dye, Deitrich, Petruff, & St. Paul
1111 Third Ave. West, Suite 300
Bradenton, FL 34205

Robert E. Turffs, Esquire
1444 First Street, Suite B
Sarasota, FL 34236

Daniel Scott, Esquire
Daniel Scott, P.A.
2033 Main Street, Suite B
Sarasota, FL 34237

Thomas D. Shults, Esquire
Kirk Pinkerton, P.A.
50 Central Avenue, Suite 700
Sarasota, FL 34236