

**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 VANDERMOLLEN, an individual,  
JOSEPH SALERNO, an individual, and  
MARY LOU MCNULTY, an individual

Defendants.

FILED FOR RECORD  
R.B. SHORE  
2009 DEC 28 AM 10:05  
CLERK OF CIRCUIT COURT  
MANATEE CO. FLORIDA

**ORDER ON PLAINTIFFS' MOTION TO STRIKE DEMAND FOR JURY TRIAL**

THIS CAUSE, having come to be heard on Plaintiffs', Mary Lou Smith and Sharon Denson's Motion to Strike Demand for Jury Trial and the Court having heard argument of counsel on August 13, 2009, and being otherwise advised in the Premises, makes the following findings and conclusions of law:

1) On August 13, 2009, there was a two hour hearing, where this Court heard arguments from all parties regarding the Plaintiffs Motion to Strike Defendants', Trailer Estates Park and Recreation District ("District"), Janet Jones ("Jones"), John Vandermolen ("Vandermolen"), and Joseph Salerno ("Salerno") Demand for Jury Trial.

2) On August 14, 2009, this Court entered an order striking Defendants District, Jones, Vandermolen, and Salerno demand for jury trial. *See*, Order on Plaintiffs' Motion to Strike Demand for Jury Trial, attached hereto as Exhibit 1.

3) At a September 18, 2009, hearing the Court ruled that the causes of action in this matter have not changed from those alleged in prior complaints, the Court had previously ruled on the demand for jury trial, and any further demand for jury trial related to these same causes of action will be struck from the pleadings.

4) Subsequently, the Plaintiffs have filed their Third Amended Complaint and Addenda alleging the same causes of action as in prior complaints and the District, Jones, Vandermolen, and Salerno have answered and included a demand for jury trial.

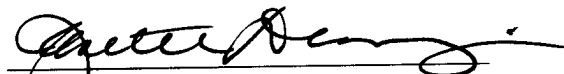
5) The Court finds that the demand for jury trial in this matter has previously been decided.

Based on the above findings and conclusions of law it is, therefore, ORDERED AND ADJUDGED that:

1) Plaintiffs' Motion to Strike Demand for Jury Trial is granted. The trial in this matter will proceed as non-jury.

DONE AND ORDERED in Chambers, in Manatee County, Florida this 23 day of December, 2009.

HONORABLE JUDGE JANETTE DUNNIGAN

  
Circuit Judge

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