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RETURN TO BRADENTON OFFICE

October 12, 2010

File

VIA FACSIMILE: (941) 749-3686

The Honorable Janette Dunnigan
Circuit Civil Division B
1051 Manatee Avenue West
Bradenton, Florida 34205

Re: *Mary Lou Smith and Sharon Denson vs. Trailer Estates Park and Recreation District, et al.*
Case No.: 2008 CA 11315

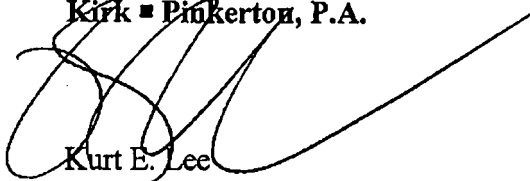
Dear Judge Dunnigan:

When the Court inquired of me during final argument today whether Defendants' motive was pertinent to this action, I incorrectly answered in the negative. Florida Statute, §286.011(4) provides that the Court "may assess a reasonable attorney's fee against the individual filing such an action if the court finds it was filed in bad faith or was frivolous." Trailer Estates Park and Recreation District has made a claim for fees under this statute.

I apologize for any confusion I may have created.

Respectfully submitted,

Kirk - Pinkerton, P.A.



Kurt E. Lee
For the Firm

FILED FOR RECORD
R.B. SHORE
2010 OCT 13 AM 9:52
CLERK OF THE CIRCUIT COURT
MANATEE CO. FLORIDA

KEL/lc

cc: Kevin Hennessy, Esquire via facsimile

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