

IN THE CIRCUIT COURT OF THE EIGHTEENTH
JUDICIAL CIRCUIT IN AND FOR SEMINOLE COUNTY, FLORIDA

CARILLON COMMUNITY
RESIDENTIAL ASSOCIATION,
INC., and KEN HOFER,

Plaintiffs,

vs.

Case No. 09-CA-1735-16-W

SEMINOLE COUNTY, FLORIDA,
UNIVERSITY OF CENTRAL
FLORIDA, and UNIVERSITY OF
CENTRAL FLORIDA FOUNDATION,
INC.,

Defendants.

**ORDER DENYING DEFENDANT
SEMINOLE COUNTY'S MOTION TO DISMISS**

This case is before the Court on Defendant Seminole County's "Motion to Dismiss with Prejudice," served on July 14, 2009. Having reviewed the Defendant's Motion and the Plaintiffs' Response thereto, heard argument of counsel on October 8, 2009, and being otherwise fully advised, it is ORDERED AND ADJUDGED:

1. That Defendant Seminole County's Motion to Dismiss is hereby DENIED.

EXHIBIT A

2. That Defendant Seminole County shall serve its Answer to the Plaintiffs' Amended Complaint within ~~twenty~~ ^{30 AM} (20) days from the date of this Order.

DONE AND ORDERED in Sanford, Seminole County, Florida, on this 8 day of October 2009.



ALAN A. DICKEY
CIRCUIT JUDGE

Conformed copies furnished this _____ day of October 2009 to:

David A. Theriaque, Esquire
S. Brent Spain, Esquire
Leslie E. Bryson, Esquire
Theriaque Vorbeck & Spain
433 North Magnolia Drive
Tallahassee, Florida 32308

Robert A. McMillan, Esquire
Kathleen Furey-Tran, Esquire
Seminole County Attorney's Office
1101 East First Street
Sanford, Florida 32771

Janet M. Courtney, Esquire
Lowndes, Drosdick, Doster, Kantor & Reed, P.A.
P.O. Box 2809
Orlando, Florida 32802

Debbie Whitehead, Judicial Assistant