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**STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES**

IN RE: PETITION FOR RECALL ARBITRATION

LES CHATEAUX AT INTERNATIONAL GARDENS  
CONDOMINIUM ASSOCIATION, INC.,

Petitioner,

v.

Case No. 2006-02-2607

UNIT OWNERS VOTING FOR RECALL,

Respondents.

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**CLOSING STATEMENT**

Petitioner, LES CHATEAUX AT INTERNATIONAL GARDENS CONDOMINIUM ASSOCIATION, INC. ("the Association"), by and through counsel and pursuant to the Arbitrator's Order of July 10, 2006, hereby files this Closing Statement as follows:

1. The Arbitrator conducted a full-fledged investigation of an election within the context of a proceeding for a recall arbitration, and therefore outside of the Arbitrator's jurisdiction.
2. Ms. Phyllis Atwell of the Bureau of Compliance of the Division of Florida Land Sales, Condominiums and Mobile Homes, testified that she investigated the 2005 and 2006 elections and there was insufficient evidence to determine that violations of either the statute or the administrative rules had occurred.
3. Ms. Maria Isabel Abadie, of All Florida Management Company, testified that she personally placed the first and second notices of the 2006 annual meeting in envelopes; that she affixed to the envelopes mailing labels derived from the Unit owners' roster kept by the Association as part of its records; that she mailed the first and second notices of the 2006 annual meeting to the owners at their respective addresses; Ms. Abadie testified that it was "impossible" that certain owners would state that

they had no knowledge of the first and second notices of the 2006 annual meeting. Copies of the unit owners roster and mailing labels utilized by Ms. Abadie for the 2006 annual meeting mailings were filed on July 18, 2006.

4. Mr. Richard Lima testified that on April 25, 2006, he posted on the Condominium property the second notice of the annual meeting scheduled for May 10, 2006 and that to the best of his knowledge and information the notice remained posted on the Condominium property for fourteen (14) consecutive days. Mr. Lima testified that he had personal knowledge that the second notice of the 2006 annual meeting remained posted for fourteen (14) consecutive days on the Condominium property because he checked the posting location on a daily basis and if the notice had been removed he would tape a new copy of the notice on the bulletin board, as needed. Mr. Lima testified that he has access to a photocopy machine and that he had made extra copies of the second notice which he kept in his car.

5. Mr. Lima also testified that he submitted his Notice of Intent to be a Candidate, that he personally attended the May 10, 2006, annual meeting and that approximately twelve (12) other Unit owners were present.

6. Ms. Yolanda Figueroa testified that she received the first and second notices of the annual meeting; that prior to May 10, 2006, two Unit owners who are proponents of the recall, went to her house and questioned her as to whether she had received the first notice of the annual meeting; and that she replied in the affirmative and that these two Unit owners were very rude to her. Ms. Figueroa further testified that she submitted the Notice of Intent to be a Candidate, that she personally attended the annual meeting on May 10, 2006 and that there was a number of Unit owners present, although she could not remember how many.

7. Ms. Norma Andrews testified that she received the first and second notices of the annual

meeting and that she submitted her Notice of Intent to be a Candidate. Ms. Andrews also testified that the same unit owners who went to Ms. Figueroa's house approached her and told her that if she was going to be on the board she would end up going to jail.

8. The Respondent introduced the testimony of approximately 32 persons who all stated that they never received any notice of the 2006 annual meeting.

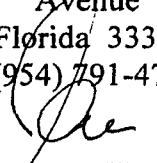
9. The Condominium is comprised of 275 units. The 32 persons who testified that they did not receive the notice represents approximately 11.6% of the total number of owners at this Condominium. This number is clearly insufficient to permit a determination that a great majority of the Unit owners did not receive notices of the 2006 annual meeting or that the annual meeting did not take place.

10. None of the evidence submitted by the Association including, but not limited to, first and second notices of the annual meeting, notices of intent to be candidates and minutes, were in any way attacked or discredited.

11. Based upon all of the facts and circumstances, the evidence submitted and the testimony of the parties, it must be concluded that the 2006 annual meeting took place.

**WHEREFORE**, it is respectfully requested that the Arbitrator enter an Order finding that the 2006 annual meeting took place and dismissing the Petition for Recall as moot.

Respectfully submitted,  
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