

HEATH BROOK HILLS OWNERS' ASS'N.
INC.,

Received 23-Mar-12

Plaintiff,

File No.:
000029

vs.

GARY SMITH, individually, KELLY HILL,
individually, and DENNIS SAUNDERS,
individually,

Defendants.

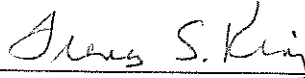
ORDER ON DEFENDANTS' AMENDED MOTION TO DISMISS AND
PLAINTIFF'S MOTION TO STRIKE

THIS CAUSE came before the court on the defendants', GARY SMITH and KELLY HILL, amended motion to dismiss, filed November 7, 2011. A hearing was held on the motion to dismiss on February 6, 2012. Thereafter, with leave of court, plaintiff, HEATH BROOK HILLS OWNERS' ASS'N, filed a response to the amended motion to dismiss on March 15, 2012. Plaintiff also filed a motion to strike defendants' supplemental memorandum of law on March 15, 2012. The court, having considered said motions, response, reviewed the court file, and being otherwise duly advised in the premises,

IT IS ADJUDGED that:

1. Defendants', GARY SMITH and KELLY HILL, amended motion to dismiss is **denied**.
2. Defendants shall have 20 days from the date of this order in which to file an answer.
3. Plaintiff's motion to strike is **denied as moot**.

ORDERED on this 21st day of March, 2012 at Ocala, Marion County, Florida.



FRANCES S. KING
Circuit Court Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and accurate copy of the foregoing has been provided by U.S. Mail this 21st day of March, 2012, to the following:

R. Gregg Jerald, Esq.
445 NE 8th Ave
Ocala, FL 34470

Barbara Billiot Stage, Esq.
7635 Ashley Park Ct, Ste. 503-T
Orlando, FL 32835



Barbara E. Stein
Judicial Assistant