

avatar\_hoa.txt  
 CLERK OF THE CIRCUIT AND COUNTY COURT  
 BREVARD COUNTY, FLORIDA

PAGE: 1

CASE NUMBER: 85-08289

AS OF: 11/20/1999  
 CLASS: CIVIL ACTION  
 CAUSE: INJUNCTION  
 JUDGE: GEORGE W. MAXWELL III

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 START DATE: 09/03/85      LOCATION:    NORTH      CASE REF: 00-00000  
 DISP DATE: 09/12/88      DISP CODE: 11      CASE REF: 00-00000  
 SUPP DISP: 00/00/00      SUPP DIV:      CASE REF: 00-00000  
 APPEAL DATE: 00/00/00      MANDATE:      AMT FILED: 76.00  
 LAST CHNG: 12/21/88      SATISFIED:      N/C STAT:

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 --  
 PLAINTIFFS/DEFENDANTS      ATTORNEYS NAME  
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 P BAREFOOT BAY HOMEOWNERS ASSN      T M BARLOW  
 P SPEED FRANCIS H      T M BARLOW  
 P SPEED IVIE P      T M BARLOW  
 P HIGGINS R G      T M BARLOW  
 P HIGGINS PAULA C      T M BARLOW  
 P GENERAZIO JOSEPH      T M BARLOW  
 P GENERAZIO ROSE MARY      T M BARLOW  
 P SMITH LAWRENCE P      T M BARLOW  
 P SMITH MARGUERITA M      T M BARLOW  
 D AVATAR PROPERTIES INC      MICHAEL D WHALEN  
 D BAREFOOT BAY CORP      MICHAEL D WHALEN

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 DATE      D O C K E T      PARTY FILING  
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 --  
 09/03/85 000001      1 COMPLAINT W/EXHIBITS NON MIL OMIT      PLF  
 09/03/85 000002      SUMMONS ISSUED ATTY BOTH DEFS  
 09/20/85 000003      2 SUMMONS SRVD/RETURN DATE 9-9/10-2      PLF  
 09/20/85 000004      PARTY SERVED: AVATAR PROP INC  
 09/20/85 000005      3 SUMMONS SRVD/RETURN DATE 9-9/10-2      PLF  
 09/20/85 000006      PARTY SERVED: BAREFOOT BAY  
 09/30/85 000007      4 MOTION: DISMISS      AVATAR PROP  
 09/30/85 000008      5 NTC HRG: FOREGOING MOTION EMJ 10-21 3:15      AVATAR PROP  
 10/02/85 000009      6 AMENDED NOTICE OF HEARING MOT DISMISS      DEF  
 10/02/85 000010      HRG DATE, TIME ETC EMJ 10-21 3:15  
 11/05/85 000011      7 JOINT STIP & ORDER DISMISSAL EMJ 11-4  
 11/05/85 000012      OFFIC REC/PAGE(S) 2647/0890-91  
 12/04/85 000013      8 AMENDED COMPLAINT      PLFS  
 12/04/85 000014      W/EXHIBITS ATTACHED  
 12/16/85 000015      9 MOTION: DISMISS AMD COMPLAINT      DEFS  
 01/06/86 000016      10 NTC HRG: FOREGOING MOTION EMJ 1-13 1:30 R      PLFS  
 02/06/86 000017      ORDER DENYING: MOTION DISMISS  
 02/06/86 000018      11 ORDER GRANTING: MOTION AMEND PLFS W/20 DAYS  
 02/06/86 000019      AMD COMPL EMJ 2-3  
 02/28/86 000020      12 AMENDED COMPLAINT 2ND W/EXBS      BAREFOOT BAY  
 04/07/86 000021      13 MOTION: DISMISS COUNTS V & VI      AVATAR PROP  
 04/07/86 000022      2ND AMD COMPL  
 04/09/86 000023      14 NTC HRG: FOREGOING MOTION EMJ 4-30 1:15 R      BAREFOOT BAY  
 05/21/86 000024      15 ORD GRANTING: MOTION DISMISS AS TO  
 05/21/86 000025      AVATAR PROP & CTS V & VI &  
 05/21/86 000026      ORDER DENYING: MOTION DISMISS W/20 AS TO

\*\* CONTINUED ON NEXT PAGE \*\*

DATE	DOCKET	PARTY FILING
05/21/86 000027	BAREFOOT BAY CORP EMJ 5-19 R	
05/21/86 000028	OFFIC REC/PAGE(S) 2699/0847-48	
06/10/86 000029	16 ANSWER TO AMENDED COMPLAINT & AFFIRM DEF	DEFS
06/10/87 000030	17 REQ TO PRODUCE DIRECTED TO AVATAR PROP	BAREFOOT
BAY		
06/10/87 000031	18 REQ TO PRODUCE DIRECTED TO BAREFOOT BAY	BAREFOOT
BAY		
06/10/87 000032	CORP	
07/07/87 000033	19 RESPONSE TO REQ TO PRODUCE	AVATAR PROP
07/07/87 000034	20 RESPONSE TO REQ TO PRODUCE	BAREFOOT
BAY		
07/28/87 000035	21 MOTION: COMPEL W/EXB ATCHD	PLFS
07/28/87 000036	22 NTC HRG: FOREGOING MOTION EMJ 8-25 2:45 R	PLFS
08/04/87 000037	23 AMENDED RESPONSE	AVATAR PROP
08/04/87 000038	REQ TO PRODUCE DIRECTED TO	
08/04/87 000039	24 AMENDED REPSONSE REQ	BAREFOOT BAY
08/04/87 000040	REQ TO PRODUCE DIRECTED TO	
12/01/87 000041	25 MEMORANDUM OF CASE REASSIGNMENT TO DIV C	
03/24/88 000042	26 NOTICE OF SERV OF INTERROGS TO BAREFOOT CORP	
BAREFOOT ASSN		
04/25/88 000043	27 MOTION FOR LEAVE 3RD AMND COMPL	PLFS
04/25/88 000044	28 AMENDED COMPLAINT (3RD) ADDING	PLF
04/25/88 000045	PLFS F & I SPEED; R & P HIGGINS;	
04/25/88 000046	J & R GENERAZIO; & L & M SMITH W/EXBS ATCHD	
04/27/88 000047	29 NOTICE: FILING ATCHD PAGE 11	PLFS
04/27/88 000048	OF 3RD AMND COMPL	
05/02/88 000049	30 NTC SERV OF ANS TO INTERROGS	BAREFOOT
CORP		
05/10/88 000050	31 MOT TO CERTIFY CLASS	PLFS
05/10/88 000051	32 NTC HRG: FOREGOING MOTION LVJ 6-7 10:30 R	PLFS
06/07/88 000052	33 ORD GRANT MOT FILE 3RD AMND COMPL W/20 TO ANS	
06/07/88 000053	LVJ 6-7 R	
06/07/88 000054	34 ORD GRANT MOT CERTIFY CLASS ACTION SUIT	
06/07/88 000055	LVJ 6-7 R	
06/07/88 000056	35 NTC TO OWNERS IN BAREFOOT BAY RE: CLASS	
06/07/88 000057	ACTION SUIT FILE STMT B/7-15 LVJ 6-7 R	
06/14/88 000058	36 LETTER FROM K&M BURT RE: EXCLUSION FROM SUIT	K&M BURT
06/15/88 000059	37 LETTER FROM V CARR RE: EXCLUSION FROM SUIT	V CARR
06/15/88 000060	38 LETTER FROM P TUMMOLO RE: EXCLUSION FROM SUIT	P
TUMMOLO		
06/15/88 000061	FOR HIMSELF; L TUMMOLO; & L&L HASTINGS	
06/16/88 000062	39 LETTER FROM C&D SADDINGTON	
06/17/88 000063	40 LETTER FRM B SPIEGEL RE: EXCLUSION FROM SUIT	B
SPIEGEL		
06/17/88 000064	41 LETTER FRM P&S SPRAGUE RE: EXCLUSION FRM SUIT	P&S
SPRAGUE		
06/20/88 000065	42 LETTER FRM S&H CHADDERDON RE: EXCLUSION FROM	
CHADDERDONS		
06/20/88 000066	SUIT	
06/21/88 000067	43 LETTER FROM P FALLON RE: EXCLUSION FROM SUIT	P FALLON
06/23/88 000068	44 LETTER FROM P LASKA RE: EXCLUSION FROM SUIT	P LASKA
06/23/88 000069	45 LETTER FROM G H DEHART RE: EXCLUSION FRM SUIT	G H
DEHART		
06/24/88 000070	46 LETTER FROM F MILLER RE: EXCLUSION FROM SUIT	MR&MRS
MILLER		
06/24/88 000071	47 LETTER FROM J WORDELL RE: POSSIBLE EXCLUSION	J
WORDELL		
06/24/88 000072	48 NTC FILING ATCHD AFDVT J GENERAZIO RE:	BAREFOOT

BAY  
 06/24/88 000073 MAILING OF NTC TO ALL HOMEOWNERS  
 06/27/88 000074 49 LETTER FRM E&J COLE RE: EXCLUSION FROM SUIT E&J COLE  
 06/27/88 000075 50 NTC FROM A&D KNISELL RE: EXCLUSION FROM SUIT A&D  
 KNISELL  
 06/27/88 000076 51 LETTER FROM S DIX RE: EXCLUSION FROM SUIT S DIX  
 06/21/88 000077 52 LETTER FROM V CARR RE: RETRACT EXCLUSION V CARR

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DATE	D O C K E T	PARTY FILING
06/28/88 000078	53 LETTER FROM A MILDNER RE: EXCLUSION FRM SUIT	A
MILDNER		
06/29/88 000079	54 LETTER FRM W&M BARRY RE: EXCLUSION FROM SUIT	W&M
BARRY		
06/30/88 000080	55 LETTER FRM A MCINTYRE RE: EXCLUSION FRM SUIT	A
MCINTYRE		
07/05/88 000081	56 LETTER FRM L&J HIRST RE: INCLUDE IN SUIT	L&J
HIRST		
07/05/88 000082	57 LETTER FRM S LAZZARO RE: EXCLUSION FRM SUIT	S
LAZZARO		
07/06/88 000083	58 LETTER FROM B&R KEARNS RE: EXCLUSION FRM SUIT	B&R
KEARNS		
07/07/88 000084	59 LETTER FRM S&E PARKE RE: EXCLUSION FRM SUIT	S&E
PARKE		
07/11/88 000085	60 LETTER FRM E DEHEY RE: EXCLUSION FRM SUIT	E DEHEY
07/11/88 000086	61 LETTER FRM D&E MACGREGOR RE: EXCLUDE FRM SUIT	D&E
MACGREGOR		
07/11/88 000087	62 LETTER FRM L&J HOGAN RE: EXCLUSION FRM SUIT	L&J
HOGAN		
07/11/88 000088	63 LETTER FRM W&B NITARDY RE: EXCLUDE FRM SUIT	W&B
NITARDY		
07/12/88 000089	64 LETTER FRM N CULTICE RE: EXCLUSION FRM SUIT	N
CULTICE		
07/14/88 000090	65 LETTER FRM M WALKER & H THOMAS RE:	G A
MONJAR		
07/14/88 000091	EXCLUDE G A MONJAR FRM SUIT	
07/15/88 000092	66 LETTER FRM R LARSEN RE: EXCLUSION FROM SUIT	R LARSEN
07/15/88 000093	67 LETTER FRM K&E MUELLER RE: EXCLUSION FRM SUIT	K&E
MUELLER		
07/15/88 000094	68 LETTER FRM H REDPATH RE: EXCLUSION FROM SUIT	H
REDPATH		
07/15/88 000095	69 LETTER FROM W&G REAGAN RE: EXCLUSION FRM SUIT	W&G
REAGAN		
07/18/88 000096	70 LETTER FRM B&J MCDONALD & M VOORHEIS RE:	B&J
MCDONALD		
07/18/88 000097	EXCLUSION FROM SUIT	
07/18/88 000098	71 LETTER FRM J&M STRUTZEL RE: EXCLUDE FROM SUIT	J&M
STRUTZEL		
07/18/88 000099	72 LETTER FRM A&D ASZMAN RE: EXCLUSION FRM SUIT	A&D
ASZMAN		
08/01/88 000100	73 NTC HRG MOT AUTH NTC OF CLASS ACTION STLMNT	BAREFOOT
BAY		
08/01/88 000101	HRG DATE, TIME ETC LVJ 8-9 10:45	
08/08/88 000102	74 MOT AUTH TO PROVIDE CLASS MEMBERS W/NTC OF	BAREFOOT
BAY		
08/08/88 000103	STLMNT OF CLASS ACTION W/ATCHD STIP OF STLMNT	
08/09/88 000104	75 ORD GRANT MOT PROVIDE CLASS MEMBERS W/NTC OF	

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08/09/88 000105	STLMNT & SET TIME CERTAIN FOR HRG ON CT	
08/09/88 000106	APPROVAL OF STLMNT LVJ 8-9 R	
08/09/88 000107	HRG DATE, TIME ETC LVJ 9-12 @2 R	
08/09/88 000108	76 NTC OF CLASS ACTION DETERMINATION; NTC OF	
08/09/88 000109	STLMNT APPROVAL HRG & NTC OF CLAIMS PROCEDURE	
08/11/88 000110	77 NOTICE OF HEARING APPROVE STLMNT	BAREFOOT BAY
08/11/88 000111	HRG DATE, TIME ETC LVJ 9-12 @2 R	
08/15/88 000112	78 NTC FILING ANSWERS INTERROGS & BD RESOLUTION	BAREFOOT
BAY		
08/15/88 000113	79 ANSWERS TO INTERROGATORIES	AVATAR PROP
08/15/88 000114	80 RESOLUTION OF EXECUTIVE BD HOMEOWNERS ASSOC	BAREFOOT
BAY		
08/29/88 000115	81 LETTER FROM S&E PARKE RE: INCLUDE IN SUIT	S&E
PARKE		
08/30/88 000116	82 LETTER FROM P FALLON RE: INCLUDE IN SUIT	P FALLON
09/06/88 000117	83 LETTER FROM R LARSEN RE: INCLUDE IN SUIT	R LARSEN
09/06/88 000118	84 LETTER FROM P&S SPRAGUE RE: INCLUDE IN SUIT	P&S
SPRAGUE		
09/07/88 000119	85 NOTICE: FILING AFDVT	PLFS
09/07/88 000120	86 AFFIDAVIT J GENERAZIO	PLF
09/12/88 000121	87 NTC FILING ATTY AFDVT & PET APPROVE STLMNT	PLFS
09/12/88 000122	88 JNT STIP FOR STLMNT & DISMISSAL	
09/12/88 000123	89 FINAL ORD APPROVE STIP OF STLMNT & DISMISSAL	
09/12/88 000124	& ATTY FEES \$163,600.00 LVJ 9-12 R	
09/12/88 000125	OFFIC REC/PAGE(S) 2942/1766-69	

END OF DOCKET