

IN THE CIRCUIT COURT OF THE  
NINTH JUDICIAL CIRCUIT, IN AND  
FOR ORANGE COUNTY, FLORIDA

**STATE OF FLORIDA,  
Office of the Attorney General,**

Plaintiff,

CASE NO. CI95-6890

v.

**BRADENTON GROUP, INC., a Florida  
corporation, et. al.,**

Defendants.

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**FINAL JUDGMENT**

Upon the authority of the opinion issued by the Fifth District Court of Appeal in this case on January 8, 2010 reported as *Bradenton Group, Inc., et al.*, 26 So. 3d 636 (Fla. 5th DCA 2010), this Court held a hearing on April 27, 2010 on the following motions submitted by Defendants: (1) Defendant's Motion for Award of Fees on Appeal, dated February 15, 2010; (2) Corporations' Verified Motion for Order to Show Cause (Civil Contempt) as to Judgment for Trial Attorneys' Fees or, in the Alternative, Motion to Compel, dated February 18, 2010; (3) Corporations' Verified Motion to Enforce Judgments, including Civil Contempt, to Enforce Judgment, dated February 25, 2010; (4) Corporations' Supplement to Motions to Enforce Judgments, dated March 5, 2010; (5) Corporations' Second Supplement to Motions to Enforce Judgments—Payment of *ContractPoint* Judgment/Attorney General, dated March 7, 2010; (6) Corporations' Motion to Tax Costs for Fee and Enforcement Hearing/March 22, 2010, dated March 2, 2010; and (7) Corporations' Supplemental Memorandum/Request for Sanctions, Imposition of Trial Court Attorneys' Fees, and Referral to the Florida Bar, dated April 1, 2010. Other motions had been filed at the time of the April 27, 2010, including, notably, a Joint Petition for Writ of Mandamus.

The Court having reviewed said motions and supporting memoranda, affidavits and

exhibits submitted by the Defendants; having reviewed the opposing memoranda and exhibits submitted by Plaintiff, State of Florida, Office of the Attorney General, including the Affidavit of John L. Hamilton, Director of Administration of the Florida Department of Legal Affairs; having heard argument of counsel and the testimony of Mr. Hamilton; and being otherwise fully advised in the premises, makes the following Findings of Fact and Ruling:

**FINDINGS OF FACT**

1. The two judgments entered by this Court, both dated April 20, 2008 in the amount of \$716,834.80 for attorneys' fees and in the amount of \$4,603,722 for Defendant Corporations' damages remain unpaid.
2. The Defendant Corporations have made demand for payment.
3. The State, through the Office of the Attorney General, has not authorized payment of said judgments.

**NOW, THEREFORE, THE UNDERSIGNED DOES HEREBY ORDER AND  
ADJUDGE AS FOLLOWS:**

A: As to the Corporations' Verified Motion for Order to Show Cause (Civil Contempt) as to Judgment for Trial Attorneys' Fees or, in the Alternative, Motion to Compel, this Court hereby orders the Attorney General to act upon, honor and satisfy this judgment of \$716,834.80 and submit a voucher to the Florida CFO requesting full and complete payment, together with statutory interest since the date of entry. In the alternative, should the provisions of F.S. 768.28 be judicially deemed applicable, then this Order shall limit the Attorney General's obligation to \$100,000.

B. As to the Corporations' Verified Motion to Enforce Judgments, including Civil

Contempt, Order to Compel and Relief, this Court hereby orders the Attorney General to act upon, honor and satisfy this judgment of \$4,603,722 and submit a voucher to the Florida CFO requesting full and complete payment, together with statutory interest since the date of entry. In the alternative, should the provisions of F.S. 768.28 be judicially deemed applicable, then this Order shall limit the Attorney General's obligation to \$100,000.

C. As to the Corporations' Supplement to Motions to Enforce Judgments, this Court takes no action.

D. As to Corporations' Motion to Tax Costs for Fee and Enforcement (April 27, 2010 hearing), in the interest of judicial economy, the Court reserves ruling and jurisdiction on these pleadings until the State satisfies the judgments already in place.

E. As to the Corporations' Supplemental Memorandum/Request for Sanctions, Imposition of Trial Court Attorneys' Fees, and Referral to the Florida Bar, the Court hereby denies said relief.

This Order shall be deemed final and self-operating. Failure to pay the sums due hereunder shall be deemed prima facie evidence that the Attorney General in good faith is making a claim for immunity for any and all of the reasons stated in its Memoranda dated March 8, 2010 and March 16, 2010 and at the hearing of this matter on April 27, 2010. The Attorney General shall therefore have 30 days in which to either appeal this Order or satisfy the judgments which are the subject hereof.

This Court will not entertain motions for contempt by the Defendant Corporations for failure of the Attorney General to comply with this Order.

The Court will retain jurisdiction of the parties and the subject matter.

**DONE and ORDERED** in Brevard County, Florida, this \_\_\_\_ day of May, 2010.

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Lawrence V. Johnston, III  
Circuit Judge

**Copies to:**

**Blaine Winship, Esquire**, Office of the Attorney General, PL-01, The Capitol, Tallahassee, FL 32399-1050; **Thomas Egan, Esquire**, 204 Park Lake Street, Orlando, FL 32803; **Steven G. Mason, Esquire**, 1643 Hillcrest Street, Orlando, FL 32803; **Clerk of Court**, Orange County Courthouse, PO Box 4994, Suite 310, Orlando, FL 32802-4994.