

IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT, IN AND FOR
PALM BEACH COUNTY, FLORIDA

TOWN OF GULF STREAM, et al.,

CASE NO. 502011CA017953XXXXMB

Plaintiffs,

DIVISION: AO

v.

PALM BEACH COUNTY, a political
subdivision of the State of Florida,

Defendant.

SHARON R. BOCK, in her Official Capacity
as the Clerk and Comptroller of Palm Beach
County, Florida,


Intervenor.

**ORDER ON COUNTER-DEFENDANTS' MOTION TO
DISMISS AMENDED COUNTERCLAIM**

THIS CAUSE having come before the Court on the Counter-Defendants, TOWN OF GULF STREAM, et al., ("Municipalities") Motion to Dismiss Amended Counterclaim, and the Court having heard argument of counsel, reviewed the written submissions of the parties, and being fully advised in the premises, it is hereby,

ORDERED AND ADJUDGED that the Municipalities Motion to Dismiss as to Count I of the County's Amended Counterclaim is hereby ~~DENIED~~, it is further **GRANTED WITHOUT PREJUDICE**. The County may re-file its Amended Counterclaim **ORDERED AND ADJUDGED** that the Municipalities Motion to Dismiss as to Count II of the County's Amended Counterclaim is hereby **GRANTED** with prejudice. *within 18 days from the date of this order.*

DONE AND ORDERED in Chambers this 11TH day of July, 2013, at West Palm Beach, Palm Beach County, Florida.


Honorable Catherine M. Brunson
Circuit Court Judge

Copies furnished to:

Claudia M. McKenna, City Attorney, Douglas N. Yeargin, Assistant City Attorney, Kimberly L. Rothenburg, Assistant City Attorney, City of West Palm Beach, P.O. Box 3366, West Palm Beach, Florida 33402.

Martin Alexander, Esq., and Nathan A. Adams, IV, Esq., Counsel for Sharon R. Bock, Holland & Knight, LLP, 222 Lakeview Avenue, Suite 1000, West Palm Beach, Florida 33401.

Hampton C. Peterson, Esq., General Counsel for Clerk and Comptroller, Sharon Bock, 301 North Olive Avenue, 9th Floor, West Palm Beach, Florida 33401.

Andrew J. McMahon, Chief Assistant County Attorney, Philip Mugavero, Senior Assistant County Attorney, Palm Beach County Attorney's Office, 300 N. Dixie Highway, Suite 359, West Palm Beach, Florida, 33401.