

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT IN AND FOR
HILLSBOROUGH COUNTY, STATE OF FLORIDA
CIRCUIT CIVIL DIVISION

BANK OF AMERICA, NATIONAL ASSOCIATION,
AS SUCCESSOR BY MERGER TO LASALLE BANK,
N.A. AS TRUSTEE FOR THE MLMI TRUST SERIES
Plaintiff,

and

CASE NO. 09-7541
DIVISION H

ALBERT S. KEATON; JULIA M. KEATON; et al.
Defendants.

ORDER ON ORDER TO APPEAR AND SHOW CAUSE

This cause having come on to be heard on July 31, 2009 on an order to Appear and Show Cause directed to Michael D. Wild, Esquire, Gabrielle Strauss, Esquire, Patrice A. Tedesco, Esquire, Gavin MacMillan, Esquire, Tat-Lin Angus, Esquire and Robert Smith, Esquire; and the court having heard the testimony of Michael D. Wild, Esquire, Gabrielle Strauss, Esquire, Patrice A. Tedesco, Esquire and Randall O. Reder, Esquire and argument of Roy A. Diaz, Esquire and otherwise being duly advised in the premises,

It is hereupon **ORDERED AND ADJUDGED** that

1. Michael D. Wild, Esquire, Gabrielle Strauss, Esquire, Patrice A. Tedesco, Esquire, Gavin MacMillan, Esquire, Tat-Lin Angus, Esquire and Robert Smith, Esquire are not in willful contempt of court as they did not intentionally violate Rule 1.150 of the Florida Rules of Civil Procedure, Rule 2.515 (a) of the Florida Rules of Judicial Administration and Rule 4-3.1 and 4-8.4 (c) of the Florida Rules of Professional Conduct. However, said attorneys are reminded of their obligation to refrain from conduct involving any misrepresentation to the court and further reminded that their signature to a pleading constitutes a certificate by that attorney that he or she has read it and to the best of the attorney's knowledge, information and belief, there are good grounds to support it.

2. In all Division H cases wherein the law firm of Smith, Hiatt & Diaz, P.A. appears on behalf of the Plaintiff and files a Complaint containing a count to reestablish a lost promissory note, counsel for Plaintiff shall, in writing, advise all Defendants and the Court within fifteen (15) days of notification that the original note and/or mortgage and/or assignment has been located that these originals documents have been found and that they do not intend to proceed on the lost note count.

3. That within fifteen (15) days of this order Smith, Hiatt & Diaz, P.A. shall pay Randal O. Reder, Esquire the sum of \$1,500.00 as and for attorney's fees for preparing the Defendant's Motion to Dismiss and for his attendance of the hearing on same.

DONE AND ORDERED in Chambers at Tampa, Hillsborough County, Florida, this

_____ day of August, 2009.

ORIGINAL SIGNED
CONFORMED COPY

AUG 19 2009

BERNARD C. SILVER
CIRCUIT COURT JUDGE

BERNARD C. SILVER
CIRCUIT JUDGE

Copies to:
Smith, Hiatt & Diaz, P.A.
All parties on the attached Service List

SERVICE LIST
Case No. 09-7541 Div H

Randall O. Reder, Esq.
1319 W. Fletcher Ave.
Tampa, FL 33612

Mortgage Electric Registration Systems, Inc.
Electronic Data Systems Corporation
3300 SW 34th Ave., Suite 101
Ocala, FL 34474

Guido Nardi
13033 Barrow St.
Spring Hill, FL 34609

Carrollton Lakes Homeowners Association, Inc.
Duarte, Antonio III
6221 Land O' Lakes Blvd.
Land O' Lakes, FL 34639
