

**FLORIDA BUILDING COMMISSION
PRODUCT APPROVAL (POC)
JAN. 24, 2013**

AGENDA C) 4

COMPLAINT REGARDING FL#11352-R2

**DOCUMENTS SUBMITTED ON BEHALF OF
AMERICAN SHUTTER SYSTEMS ASSOCIATION, INC.**

By:

**Fred R. Dudley, Esq.
Holland & Knight LLP
315 S. Calhoun Street, Ste. 600
Tallahassee, FL 31301
850-224-7000**

- 1. Order Denying West Coast Aluminum, Inc.'s Amended Counterclaim**
- 2. Affidavit of Mo Madani**
- 3. Affidavit of Walter A. Tillit, Jr.**
- 4. Final Summary Judgment**

- 1. Order Denying West Coast Aluminum, Inc.'s Amended Counterclaim**

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

EASTERN METAL SUPPLY, INC.,
a corporation,

Plaintiff,

vs.

CASE NO. 50-2010CA028965XXXXMB(AG)
JUDGE: DAVID F. CROW

WEST COAST ALUMINUM
MANUFACTURING, INC., and
DAWN STOVER,

Defendants/Counter-Plaintiffs,

vs.

EASTERN METAL SUPPLY, INC., a
Florida corporation, and AMERICAN
SHUTTER SYSTEMS ASSOCIATION,
INC., a Florida corporation,

Counter- and Third Party Defendants.

FILED
2012 OCT -3 PM 3:49
DAVID R. BOCK, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CIVIL 5

**ORDER ON COUNTER AND THIRD PARTY DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT ON
WEST COAST ALUMINUM, INC.'S AMENDED COUNTERCLAIM**

THIS CAUSE came before the Court upon Counter and Third Party Defendants' (Eastern Metal and American Shutter) Motion for Summary Judgment on West Coast Aluminum, Inc.'s Amended Counterclaim, filed August 8, 2012. The Court having reviewed the Motion and heard argument of counsel for Counter and Third Party Defendants and of Dawn Stover on Monday, October 1, 2012 on same, and being otherwise fully advised in the premises, finds as follows:

There are no genuine issues of material fact and the Count-Defendants are entitled to a judgment as a matter of law. Specifically, based upon the Affidavits of Mr. Madani and Walter Tillet, there is no dispute in the record that the Bertha HV-3 Blade System (and its revisions) were and have been approved for use everywhere in Florida, including HVHZ areas since October 14, 2008. Therefore, on this record evidence there cannot be any conspiracy or agreement by the Counter-Defendants to allow

•fraudulent sales of shutter systems to consumers or any other persons. The Court recognizes that the individual representative of WEST COAST ALUMINUM MANUFACTURING, INC., DAWN STOVER appeared at the hearing and contended she had documents in her possession which showed that some of the products failed certain tests. However, there was no affidavit supporting that statement nor any documents that were properly authenticated. Therefore, based upon the record evidence, there are no disputed issues of fact. Therefore, it is

CONSIDERED, ORDERED AND ADJUDGED that the Counter-Defendants' Motion for Summary Judgment is hereby granted.

DONE and ORDERED, in Chambers at West Palm Beach, Palm Beach County, Florida on this 3rd day of Oct, 2012.



HONORABLE DAVID F. CROW
Circuit Judge

Copies furnished to:

Jerome W. Hoffman
Florida Bar No. 258830
jerome.hoffman@hklaw.com
HOLLAND & KNIGHT LLP
Post Office Drawer 810
Tallahassee, Florida 32302

Dawn Stover
dawnstover@AOL.com
5114 Melbourne Street #1204
Punta Gorda, Florida 33980

#11585740_v1

2. Affidavit of Mo Madani

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

EASTERN METAL SUPPLY, INC.,
a corporation,

Plaintiff,

vs.

CASE NO. 50-2010CA028965XXXXMB(AG)
JUDGE: DAVID F. CROW

WEST COAST ALUMINUM
MANUFACTURING, INC., and
DAWN STOVER,

Defendants/Counter-Plaintiffs,

vs.

EASTERN METAL SUPPLY, INC., a
Florida corporation, and AMERICAN
SHUTTER SYSTEMS ASSOCIATION,
INC., a Florida corporation,

Counter- and Third Party Defendants.

AFFIDAVIT OF MO MADANI

STATE OF FLORIDA

COUNTY OF _____

I, Mo Madani, who being first being duly sworn on oath, deposes and says as follows:

1. I am over the age of 21 and am competent to testify as to the matters set below which are based on my personal knowledge.

2. I am the manager of the state product approval program, housed within the Florida Department of Business and Professional Regulation.

3. I have worked in various capacities dealing with the product approval process under the Florida Building Code for nine (9) years. My business address is 2555 Shumard Oak Blvd., Tallahassee, Florida 32399.

4. I am familiar with the 2007 Florida Building Code ("Code") and the requirements under the Code associated with testing standards of hurricane shutter products for use in high velocity hurricane zones.

5. I am familiar with hurricane shutter systems generally. The Florida Building Commission maintains a list of shutters that have received the Commission's approval for the high velocity hurricane zone. The list does not include shutters that have received local approval under 553.8425, F.S.

6. There are five major subcategories of shutter types that been approved by the Florida Building Commission for use in high velocity hurricane zones: Accordion, Storm Panels, Roll-up, Bahama, and Colonial. In addition to these established subcategories, there are new materials and designs that have been approved but fall outside these major subcategories.

7. A search of the Commission's database on 12/13/11 indicated that there are 29 Accordion hurricane shutter systems manufactured by 18 different manufacturers that have been approved by the Commission for use in high velocity hurricane zones. A printout of these search results is attached hereto as Exhibit A.

8. A search of the Commission's database on 12/13/11 indicated that there are 48 Storm Panels shutter systems manufactured by 33 different manufacturers that have been approved for use in high velocity hurricane zones. A printout of these search results is attached hereto as Exhibit B.

9. A search of the Commission's database on 12/13/11 indicated that there are 15 Roll-up shutter systems manufactured by 10 different manufacturers that have been approved for use in high velocity hurricane zones. A printout of these search results is attached hereto as Exhibit C.

10. A search of the Commission's database on 12/13/11 indicated that there are 7 Bahama shutter systems manufactured by 7 different manufacturers that have been approved for use in high velocity hurricane zones. A printout of these search results is attached hereto as Exhibit D.

11. A search of the Commission's database on 12/13/11 indicated that there are 6 Colonial shutter systems manufactured by 6 different manufacturers that have been approved for use in high velocity hurricane zones. A printout of these search results is attached hereto as Exhibit E.

12. A search of the Commission's database on 12/13/11 for all shutter systems approved for use in high velocity hurricane zones indicated that that there are 115 approved products that are available through 57 different manufacturers. A printout of these search results is attached hereto as Exhibit F.

13. As of Tuesday, February 14, 2012, the Commission's database indicates that 31 different Accordion style shutters have been approved by the Florida Building Commission for use in high velocity hurricane zones.

14. A contractor who wished to install shutters that had been approved by the Florida Building Commission for use in the high velocity hurricane zone could, in most instances, select a product from any of the shutter subcategories, such as Accordion, Roll-up or Storm Panel, subject to the limitations of use on which approval was granted.

15. I am familiar with the rigorous product approval process used by the Commission as established through the Florida Statutes and the Florida Administrative Code for products used in high velocity hurricane zones. For products such as the Bertha HV Accordion Shutter-Blade 3, that are approved through the process set out in Rule 9N-3.005(2), Fla. Admin. Code, the process includes numerous safeguards to ensure that only products that comply with all the requirements of the Florida Building Code are recommended for approval by the Product Approval Program Oversight Committee, and ultimately approved by the Florida Building Commission.

16. Specifically, prior to being approved by the Commission for use in a high velocity hurricane zone, new or revised approved products are subject to four independent layers of review.

- a. The first review is undertaken by the validator who must verify that the application and required documentation are complete.
- b. The second review is undertaken by the Program System Administrator who must verify that the application and required documentation are complete. *See* Fla. Admin. Code R. 9N-3.007(1)(d)1.
- c. The third review is undertaken by the Florida Building Commission's Program Oversight Committee (POC). *See* Fla. Admin. Code R. 9N-3.007(1)(d)3. Notice of POC meetings is given in the Florida Administrative Weekly. *Id.* Notice is given the products that will be considered at such meetings.
- d. The fourth review is undertaken by the Florida Building Commission.

17. The Florida Building Commission maintains records associated with the product approval process as required by law. *See e.g.*, § 553.842, Fla. Stat., and Fla. Admin. Code R. 9N-3.007(1)(a), (3); 9N-3.010; 9N-3.012(1); 9N-3.013(1)(d). The documents associated with each application for a new or revised product are uploaded into the Building Code Information System (BCIS) where they are publically available over the internet. In addition, all information related to product approval including the actual applications submitted, meeting agendas, meeting minutes, as well as actual audio recordings of POC meetings are maintained on BCIS and are available for public inspection at all times.

18. I am familiar with the product approval process associated with the Bertha HV Accordion Shutter-Blade 3 (“HV Blade 3”). The HV Blade 3 is in the Accordion subcategory of hurricane shutter systems. HV Blade 3 was first submitted by the American Shutter Systems Association, Inc., to the Florida Building Commission on September 10, 2008. The application number associated with this product was FL11352-R0. The method used to establish that the HV Blade 3 is in compliance with the applicable standards of the Florida Building Code was an evaluation report from a licensed Florida professional engineer. *See* Fla. Admin. Code. R 9N-3.005(1)(d).

19. Application FL11352-R0 was validated by an approved validation entity, pursuant to 9N-3.006, F.A.C., and then reviewed by an administrator who determined that the application was complete. Notice that this new product was under consideration was given to the public. Interested parties were given the opportunity to submit comments or objections. No comments or objections were received.

20. Application FL11352-R0 was then recommended for approval by the POC. The product was then finally approved for use in high velocity hurricane zones, and for use

throughout Florida (non-HVHZ), as describe in the application, by the Florida Building Commission on October 14, 2008.

21. Three revisions to this product were subsequently submitted and approved by the Florida Building Commission. In every case the same general process was followed. The application was submitted, validated by an approved validation entity, pursuant to 9N-3.006, F.A.C., reviewed by the program system administrator, determined to be complete, scheduled for consideration by the Product Approval Program Oversight Committee (POC) after providing notice and a comment period, recommended by the POC for approval, and finally approved by the Florida Building Commission for use in high velocity hurricane zones, and thus for use throughout Florida, as describe in the application. These subsequent revisions were assigned the following application numbers: FL11352-R1, FL11352-R2, FL11352-R3.

22. The process described above includes four layers of review and is designed to ensure that a state approved product complies with the applicable standards of the FBC.

23. With respect to the approval process of FL11352-R2, a report reflecting a preliminary review of the application was posted for public comment on November 15, 2010. The deadline for the submission of public comments was November 22, 2010. No public comments were received related to FL11352-R2. In the absence of any public comment or objection, FL11352-R2 was placed on the consent agenda for the December 6, 2010 POC meeting.

24. Dawn Stover, President of West Coast Aluminum Manufacturing, Inc., attended the December 6, 2010, POC meeting and raised several issues related to FL11352-R2. She was given an opportunity to explain her concerns during the POC meeting. In order to properly consider Ms. Stover's concerns, the approval of FL11352-R2 was taken off the consent agenda.

However, after considering Ms. Stover's comments the POC separately recommended FL11352-R2 to the Florida Building Commission for approval during the December 6, 2010 meeting. No minutes are available specific to this issue. An audio recording of the meeting is posted on the website for review.

25. The Florida Building Commission approved FL11352-R2 on December 7, 2010 for use in high velocity hurricane zones, and for use throughout Florida (non-HVHZ), as describe in the application.

26. I reviewed the new product application for HV Blade 3, FL11352-R0, as well as the product revision applications, FL11352-R1, FL11352-R2, FL11352-R3. No comments have been posted for any of these applications.

27. There are two different building code standards for hurricane shutters, HVHZ and non-HVHZ. The FL 11352-R3 hurricane shutter discussed above has been approved for both HVHZ and non-HVHZ use.

28. When submitting an application for product approval, a manufacturer has the option of limiting the product's use to "non-HVHZ areas of the State." The application process described above is used for both HVHZ and non-HVHZ products. Product FL 11349-R3 is known as the Bertha HV Accordion Shutter-Blade 3. This product has been approved for use outside of high velocity hurricane zones.

FURTHER AFFIANT SAYETH NOT. I declare under penalty of perjury that the foregoing Affidavit is true and correct to the best of my knowledge.

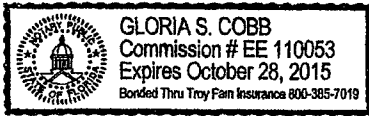
Mo Madani
Mo Madani

STATE OF FLORIDA

COUNTY OF Leon

SWORN TO AND SUBSCRIBED before me by Mo Madani, who is personally known to me or has produced personally known as identification, and who after being duly sworn, swears and affirms that he has read and executed the foregoing and the contents thereof are true and accurate.

WITNESS my hand and seal this 17th day of February, 2012.



Gloria S. Cobb
NOTARY PUBLIC - State of Florida

3. Affidavit of Walter A. Tillit, Jr.

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

EASTERN METAL SUPPLY, INC.,
a corporation,

Plaintiff,

vs.

CASE NO. 50-2010CA028965XXXXMB(AG)
JUDGE: DAVID F. CROW

WEST COAST ALUMINUM
MANUFACTURING, INC., and
DAWN STOVER,

Defendants/Counter-Plaintiffs,

vs.

EASTERN METAL SUPPLY, INC., a
Florida corporation, and AMERICAN
SHUTTER SYSTEMS ASSOCIATION,
INC., a Florida corporation,

Counter- and Third Party Defendants.

AFFIDAVIT OF WALTER A. TILLIT JR.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Walter A. Tillit, Jr., who being first being duly sworn on oath, deposes and says as follows:

1. I am over the age of 21 and am competent to testify as to the matters set below which are based on my personal knowledge.

2. I am a professional engineer, licensed by the State of Florida. My Florida professional engineering license number is PE-44167.

3. I am the president and founder of Tilteco, Inc, a Tillit Testing & Engineering Company (“Tilteco”). Tilteco was founded in 1993. Tilteco’s business address is 6355 N.W. 36th Street, Suite 305; Virginia Gardens, Florida 33166.

4. Tilteco has no financial interest in any company that manufactures or distributes hurricane shutter products or components or any association of such manufacturers or distributors.

5. I am familiar with the 2007 Florida Building Code, and the requirements under the 2007 Code associated with the testing and approval of hurricane shutter component products for use in high velocity hurricane zones.

6. New and revised products are subject to a rigorous product approval process that is established through the Florida Statutes and the Florida Administrative Code. This statutory and rule-based product approval process includes numerous safeguards to ensure that only products that comply with all the requirements of the Florida Building Code are approved.

7. One way that products can be approved for use in high velocity hurricane zones is through the submission of an evaluation report by a licensed Florida professional engineer. Evaluation reports are based upon actual product testing that is done at certified product testing facilities. This method of product evaluation is authorized by § 553.842, Fla. Stat. (2011) and by the Florida Administrative Code Rule 9N-3.005(1)(d).

8. In addition, this Product also bears a product approval through the Miami-Dade County Product Control Section. The Miami-Dade County Product Control Section (formerly called the Building and Neighborhood Compliance Department) maintains an approval process separate from the Florida Building Commission. Miami-Dade employs full time professional engineers to review and evaluate tests and drawings submitted for various building products,

including hurricane shutters. Products that pass the initial review by the Miami-Dade engineers are then subject to final review and approval by the Miami-Dade Product Control Committee before a Notice of Acceptance is issued.

9. Tilteco was engaged by the American Shutter Systems Association, Inc., to oversee the evaluation of the Bertha HV Accordion Shutter-Blade 3 ("HV Blade 3"), including the coordination of the testing necessary to certify that this product is suitable for use in high velocity hurricane zones, which are Miami-Dade and Broward Counties through a State approval and through a Miami-Dade County approval.

10. The HV Blade 3 was evaluated based on the "(1)(d) method" now codified at Florida Administrative Code Rule 9N-3.005 (at the time the application was submitted, the requirements were codified at 9B-72.070).

11. For the State approval, the HV Blade 3 was initially submitted to the Florida Building Commission for approval as a new product on September 2008. It was assigned application number FL11352-R0.

12. As part of the State product-approval process, Tilteco submitted both evaluation reports and installation instructions to the Florida Building Commission. A copy of the Product Evaluation Report, the installation instructions, and a summary of the product approval process for application FL11352-R0 is attached hereto as Exhibit B.

13. As the attached Product Evaluation Report (Exhibit B) reflects, the HV Blade 3 was subjected to all required testing, including the large missile impact and cyclic loadings under protocols TAS 201 and 203, and the uniform static loads testing in accordance with protocol TAS 202. The testing was performed by an independent testing laboratory, American Testing Lab of South Florida and witnessed by that Laboratory's licensed professional engineers,

William R. Mehner, P.E. and Henry Hattem, P.E. Tensile testing was performed by Frank Grate Jr., P.E.

14. I reviewed the signed and sealed Test Reports associated with each of the tests that were performed in support of the initial HV Blade 3 application. This documentation shows that each of the required tests was performed. The signed and sealed Test Reports also show that the HV Blade 3 passed each of the required tests.

15. Attached hereto as Exhibit A are two different letters that I received from Jose L. Mir, Director of the American Test Lab of South Florida, which performed the testing on the HV-3 Accordion Shutter System and that are signed and sealed by the laboratories engineers, William R. Mehner, P.E. and Henry Hattem, P.E in 2008 and by Julio F. Gonzalez, P.E. in 2010. These letters reflect that the HV-3 blade was in full compliance with the product testing standards. I relied on these test results in preparing documents submitted by me to both the Florida Building Commission and the Miami-Dade County Product Control Section to obtain "high velocity hurricane zone" approval for the HV Blade 3.

16. According to the records of the Florida Building Commission attached hereto as Exhibit C, the HV Blade 3 was approved on October 14, 2008, by the Florida Building Commission for use in high velocity hurricane zones which consist only of Broward and Miami-Dade counties, and no other Florida counties.

17. Tilteco was subsequently engaged to coordinate the testing necessary to certify three different revisions to the State approval of the HV Blade 3 product. The result of each application was that the revised product was approved for use in high velocity hurricane zones by the Florida Building Commission. As detailed below, in the case of each of the three revisions, my Product Evaluation Reports (Exhibits D, F and H) reflect that the HV Blade 3 was

subjected to all required testing, including the large missile impact and cyclic loadings under protocols TAS 201 and 203, and the uniform static loads testing in accordance with protocol TAS 202. In each case the testing was performed by an independent testing laboratory, American Testing Lab of South Florida and witnessed by the Laboratory's professional engineers, William R. Mehner, P.E, Henry Hattem, P.E. and Julio Gonzalez, P.E. Tensile testing was performed by Frank Grate Jr., P.E.

18. I reviewed the signed and sealed test reports associated with each of the tests that were performed in support of the three subsequent HV Blade 3 applications. This signed and sealed documentation shows that each of the required tests was performed. The signed and sealed documentation also shows that the HV Blade 3 passed each of the required tests.

19. Revision 1, application number FL11352-R1, was submitted to the Florida Building Commission on November 10, 2008. A copy of the Product Evaluation Report, and the installation instructions are attached hereto as Exhibit D. The application was approved by the Florida Building Commission (State approval) on December 10, 2008. See Exhibit E

20. Revision 2, application number FL11352-R2, was submitted to the Florida Building Commission on November 2, 2010. A copy of the Product Evaluation Report, and the installation instructions are attached hereto as Exhibit F. The application was approved by the Florida Building Commission (State approval) on December 7, 2010. See Exhibit G.


21. Revision 3, application number FL11352-R3, was submitted to the Florida Building Commission on August 26, 2011. A copy of the Product Evaluation Report and the installation instructions are attached as Exhibit H. The application was approved by the Florida Building Commission (State approval) on October 11, 2011. See Exhibit I.

22. As the documentation attached hereto as Exhibits A-H of this affidavit demonstrate, and to the best of my knowledge, belief and professional judgment, I conclude that the initial new product application for HV Blade 3 and the subsequent revisions thereto satisfy the requirements for use in high velocity hurricane zones (Miami-Dade and Broward Counties) established by the Florida Building Code.

23. Furthermore, the Bertha HV Blade 3 Accordion Shutter System has also been submitted, reviewed and approved by the Miami-Dade County Product Control Section under the review procedures discussed in paragraph 8 above. Acceptance by the Miami-Dade Product Control Section means that the HV Blade 3 Accordion Shutter System has been reviewed and approved by the Miami-Dade County engineers for use in “high velocity hurricane zone” areas which are Miami-Dade and Broward Counties, Florida. See Exhibit J.

24. Having reviewed these applications, I did not discover and can state to the best of my knowledge, belief and professional judgment that there are no gaps or omissions in any of the testing or certification procedures associated with this product. I thus conclude that the Bertha HV Accordion Shutter-Blade 3 has been properly certified for use in high velocity hurricane zones during the period from October 14, 2008 through the present by both the State of Florida And the Miami-Dade County Product Control Section.

FURTHER AFFIANT SAYETH NOT. I declare under penalty of perjury that the foregoing Affidavit is true and correct to the best of my knowledge.


Walter A. Tillit, Jr.

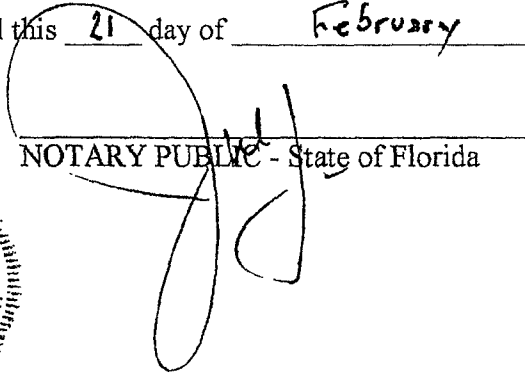
STATE OF FLORIDA

COUNTY OF Miami-Dade

SWORN TO AND SUBSCRIBED before me by Walter A. Tillit, who is personally known to me, who after being duly sworn, swears and affirms that he has read and executed the foregoing and the contents thereof are true and accurate.

WITNESS my hand and seal this 21 day of February, 2012.

I attest to the signature.


NOTARY PUBLIC - State of Florida



#10781814_v3

4. Final Summary Judgment

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT OF FLORIDA
IN AND FOR PALM BEACH COUNTY CIVIL DIVISION

CASE NO.: 502010CA028965XXXXMBAG

EASTERN METAL SUPPLY, INC.,

Plaintiff(s),

vs.

WEST COAST ALUMINUM MANUFACTURING,
INC. and DAWN STOVER,

Defendant(s).

FINAL SUMMARY JUDGMENT

THIS CAUSE came before the Court on January 8, 2013 on Plaintiff's Motion for Final Summary Judgment, and the Court having reviewed the Motion and affidavits filed in support of the Motion, having heard arguments of counsel for the Plaintiff and the Defendant, DAWN STOVER, having considered other record evidence in the matter, and being otherwise fully advised in the premises, it is hereby

CONSIDERED, ORDERED AND ADJUDGED as follows:

1. The Motion for Final Summary Judgment is hereby granted as there is no genuine issue of material fact and the Plaintiff is entitled to entry of Final Summary Judgment on the Complaint.

2. This Court recognizes that the Defendant, DAWN STOVER, has submitted documentation to the Court which she contends support her position in regard to her affirmative defenses. However, the documents and other matters filed are not under oath and do not constitute record evidence in opposition to the Plaintiff's Motion. On the other hand, the Plaintiff has filed affidavits with the Motion and other record evidence which would demonstrate that there is no material issue of fact.

3. Summary Final Judgment on Count I of the Complaint is hereby entered in favor of Plaintiff, EASTERN METAL SUPPLY, INC., whose address is 4268 West Roads Drive, West Palm Beach, Florida 33407, and against Defendant, WEST COAST ALUMINUM MANUFACTURING, INC., whose address is 1282 Market Circle, #5, Port Charlotte, Florida 33954.

4. Summary Final Judgment on Count II of the Complaint is hereby entered in favor of Plaintiff, EASTERN METAL SUPPLY, INC., whose address is 4268 West Roads Drive, West Palm Beach, Florida 33407, and against Defendant, DAWN STOVER, whose address is 5114 Melbourne Street, #1204, Punta Gorda, Florida 33980.

5. Plaintiff shall have and recover from Defendants, WEST COAST ALUMINUM MANUFACTURING, INC. and DAWN STOVER, jointly and severally, the principal amount of \$57,008.94, plus interest thereon from November 29, 2010 through January 8, 2013 at the rate of 18% per annum pursuant to the terms of the Credit Application in the amount of \$21,675.75, for a total of \$78,684.69, that shall bear interest at the Florida statutory post judgment rate of interest, for which sum let execution issue forthwith.

6. The Court reserves jurisdiction to award attorney's fees and costs against WEST COAST ALUMINUM MANUFACTURING, INC. and DAWN STOVER, jointly and severally, pursuant to the terms of the Credit Application and Personal Guaranty, upon filing of the appropriate motion, and upon evidentiary hearing.

7. It is further ordered and adjudged that Defendants, WEST COAST ALUMINUM MANUFACTURING, INC. and DAWN STOVER, shall complete under oath, Florida Rule of Civil Procedure Forms 1.997(a) and 1.997(b)(Fact Information Sheets),

respectively, a copy of which is attached hereto as "Exhibit "A" and "B", and serve the completed forms, including all required attachments, on counsel for Plaintiff, Jason D. Lazarus, Esquire, Holland & Knight, LLP, 222 Lakeview Avenue, Suite 1000, West Palm Beach, Florida 33401, within 45 days from the date of this Final Judgment, unless the Final Judgment is satisfied.

8. Jurisdiction of this case is retained to enter such other and further orders, judgments and decrees as may be just and proper, including without limitation, any necessary orders to compel the Defendants to complete and serve their respective Fact Information Sheets, including all required attachments.

DONE AND ORDERED this 18th day of January, 2013 at West Palm Beach,
Palm Beach County, Florida.



DAVID F. CROW
CIRCUIT COURT JUDGE

Copy furnished:

JASON D. LAZARUS, ESQUIRE, 222 Lakeview Ave., #1000, West Palm Beach, FL 33401
DAWN STOVER, 5114 Melbourne St., #1204, Punta Gorda, FL 33980
WEST COAST ALUMINUM MANUFACTURING, INC., 1282 Market Circle, #5, Port Charlotte, FL 33954