

IN THE CIRCUIT COURT OF THE 17TH
JUDICIAL CIRCUIT IN AND FOR
BROWARD COUNTY, FLORIDA

COMERICA BANK,
a Texas banking association,

CASE NO. 11-028447 (03)

Plaintiff,

vs.

OCEAN 4660, LLC a Florida limited
liability company, et al.

Defendants.

**ORDER ON KENNETH A. FRANK'S MOTION TO DISMISS COMPLAINT FOR
LACK OF JURISDICTION OVER THE DEFENDANT, LACK OF STANDING AND
ALTERNATIVE MOTION TO STRIKE THE COMPLAINT, AND TO QUASH
SERVICE OF PROCESS WITH INCORPORATED MEMORANDUM OF LAW**

THIS MATTER came before the Court on Tuesday, August 28, 2012 upon Defendant Kenneth A. Frank's "Motion to Dismiss Complaint for Lack of Jurisdiction over the Defendant, Lack of Standing and Alternative Motion to Strike the Complaint, and to Quash Service of Process with Incorporated Memorandum of Law" (the "Motion."). The Court has reviewed the Motion, heard argument of all parties, and is otherwise fully advised in the premises.

Accordingly, it is **ORDERED and ADJUDGED** that the Motion is:

*Denied. An Answer shall be filed within
20 days of this order.*

DONE AND ORDERED in Chambers, in Broward County, Florida, on this 28 day of
August 2012.

MILY RODRIGUEZ POWELL

Mily R. Powell

CIRCUIT COURT JUDGE

cc: Service List Attached

AUG 28 2012

A TRUE COPY

SERVICE LIST

<p>Krystol L. Rappuhn, Esq. 55 E. Long Lake Road, Suite 204 Troy, Michigan 48085-4738 <i>Co-Counsel for Ocean 4660, LLC</i> By regular U.S. Mail and facsimile</p>	<p>Michael Tobin, Esq. Rothman & Tobin, P.A. 11900 Biscayne Boulevard, Suite 740 Miami, Florida 33181 <i>Co- Counsel for Ocean 4660, LLC</i> By regular U.S. Mail and facsimile</p>
<p>Eduardo M. Soto, Esq. Weiss Serota Helfman Pastoriza Cole & Boniske, P.L. 2525 Ponce de Leon Blvd., Suite 700 Coral Gables, FL 33134 <i>Counsel for Town of Lauderdale-By-The-Sea</i> By regular U.S. Mail and facsimile</p>	<p>Maya A. Moore, Esq. Joni Armstrong Coffey, Esq. County Attorney for Broward County Office of the County Attorney Governmental Center, Suite 423 115 South Andrews Avenue Fort Lauderdale, FL 33301 <i>Counsel for Broward County</i> By regular U.S. Mail and facsimile</p>
<p>Charmaine J. Comprosky, Esq. LAW OFFICE OF CHARMAINE J. COMPROSKY, P.A. 2310 East Atlantic Boulevard, Suite 204 Pompano Beach, Florida 33062 <i>Counsel for Oceanside Lauderdale, Inc.</i> By regular U.S. Mail</p>	<p>Kenneth A. Frank 2310 East Atlantic Boulevard, Suite 206 Pompano Beach, FL 33062 By regular U.S. Mail</p>
<p>Waste Management of Florida d/b/a Southern Sanitation Service c/o Registered Agent, CT Corporation System 1200 South Pine Island Road Plantation, FL 33324 By regular U.S. Mail</p>	<p>Affinity Mechanical Inc. c/o Edward J. Bender, Registered Agent 2805 E. Oakland Park Boulevard, #144 Fort Lauderdale, FL 33306 By regular U.S. Mail</p>
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<p>Motion Elevator, Inc. c/o Registered Agent, Rose Portelli 5915 Park Drive Margate, FL 33063 By regular U.S. Mail</p>	<p>Rose Portelli 5915 Park Drive Margate, FL 33063 By regular U.S. Mail</p>
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