

IN THE CIRCUIT COURT IN AND FOR ESCAMBIA COUNTY, FLORIDA

1108 ARIOLA, LLC, et al.,

Plaintiffs

vs.

CASE NO: 2004-CA-002290
DIVISION: J

CHRIS JONES, PROPERTY
APPRAISER FOR ESCAMBIA COUNTY,
FLORIDA, and JANET HOLLEY, TAX
COLLECTOR FOR ESCAMBIA COUNTY,
FLORIDA,

Defendants.

STIPULATED ORDER ON PLAINTIFFS' MOTION FOR A STAY

This matter having come on for hearing before this Court on Plaintiffs' Motion for a Stay, the parties having stipulated to the entry of this Order, and the Court being fully advised in the premises, the Court finds that:

1. Section 194.171(3), Florida Statutes (2004), mandates that all procedures for the collection of taxes contested by a taxpayer shall be suspended pending final disposition of the litigation contesting the imposition of the taxes at issue, provided the taxpayer pays the taxes admittedly due and owing and timely files an action contesting the collection of the taxes.

2. The Plaintiffs have alleged in good faith they do not owe any of the taxes at issue in this case, and the Defendants have stipulated that this action contesting the taxes at issue was timely filed.

Accordingly, its is hereby **ORDERED AND ADJUDGED** as follows:

1. All procedures for the collection of the real property taxes levied by the Tax Collector for Escambia County on the improvements that are the subject matter of this litigation are hereby suspended pending final disposition of this action through all appeals, pursuant to Section 194.171(3), Florida Statutes (2004).

DONE AND ORDERED in chambers, in Pensacola, Escambia County, Florida, this 21st day of April, 2005.

/s/ TERRY TERRELL

CIRCUIT JUDGE

Copies furnished to:

M. J. Menge, Esquire *TJM*
Elliott Messer, Esquire *EM*
Thomas M. Findley, Esquire *TMF*