

IN THE CIRCUIT COURT OF THE FIRST
JUDICIAL CIRCUIT, IN AND FOR
ESCAMBIA COUNTY, FLORIDA

1108 ARIOLA LLC, *et al.*

Plaintiffs

v.

CASE NO.: 2004 CA 002290
DIVISION: J

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

Defendants.

**STIPULATED ORDER ON PLAINTIFFS' MOTION FOR A PROTECTIVE ORDER
AND DEFENDANTS' MOTION TO COMPEL**

The parties having stipulated to the following resolution of the Plaintiffs' Motion for a Protective Order and Defendants' Motion to Compel,

It is ORDERED AND ADJUDGED:

1. Each Plaintiff shall produce copies of the following documents and provide such copies to counsel for Defendants within sixty (60) days from the date of this Order:

A. The depreciation schedules filed by each Plaintiff with the Internal Revenue Service as part of the Plaintiff's 2004 federal income tax return covering the improvements on the property or properties on Pensacola Beach leased to the Plaintiff which is or are covered by this lawsuit, provided that if a Plaintiff has not filed its 2004 federal income tax return, such Plaintiff shall produce a copy of the depreciation schedule from the latest federal income tax return filed by the Plaintiff.

B. The Schedule A filed by each Plaintiff with the Internal Revenue Service as part of the Plaintiff's 2004 federal income tax return to the extent such schedule includes a deduction

for home mortgage interest paid in connection with the improvements on the property or properties on Pensacola Beach leased to the Plaintiff which is or are covered by this lawsuit, provided that if a Plaintiff has not filed its 2004 federal income tax return, such Plaintiff shall produce a copy of such Schedule A from the latest federal income tax return filed by the Plaintiff.

C. Any portions of a Plaintiff's 2004 federal income tax return, other than those portions relating to the aforesaid depreciation schedule and the pertinent part of Schedule A, shall be redacted.

D. Documents, if any, in the possession of a Plaintiff reflecting the useful life of the improvements at issue.

E. The closing statement for the transaction in which each Plaintiff acquired an interest in the property or properties on Pensacola Beach which is or are covered by this lawsuit.

2. With the exception of the above listed items to be produced by Plaintiffs, Plaintiffs' Motion for a Protective Order is hereby granted and Defendants' Motion to Compel is hereby denied.

DONE AND ORDERED in chambers, in Pensacola, Escambia County, Florida, this

7th day of Nov, 2005.

/S/ MICHAEL JONES

Honorable T. Michael Jones
Circuit Court Judge

Copies furnished to:

Thomas M. Findley, Esq.
Elliott Messer, Esq.
M.J. Menge, Esq.