

IN THE CIRCUIT COURT OF THE 17<sup>TH</sup> JUDICIAL CIRCUIT OF FLORIDA,  
IN AND FOR BROWARD COUNTY  
CASE NO.: 12-034123 (07)  
COMPLEX LITIGATION UNIT

P&S ASSOCIATES, GENERAL  
PARTNERSHIP, etc., et al.,

Plaintiffs,

v.

MICHAEL D. SULLIVAN, et al.,

Defendants.

\_\_\_\_\_/

**ORDER GRANTING DEFENDANTS FRANK AVELLINO AND  
MICHAEL BIENES' MOTION TO DISMISS THIRD AMENDED COMPLAINT**

THIS CAUSE came before the Court for hearing on August 21, 2014 on Defendants Frank Avellino and Michael Bienes' Joint Motion to Dismiss Plaintiff's Third Amended Complaint, and the Court having heard the argument of counsel and being otherwise advised in the matter, it is hereby

**ORDERED** and **ADJUDGED** that Defendants' Motion to Dismiss the Third Amended Complaint is granted. Counts VIII, X, XI and XII of the Third Amended Complaint are dismissed without prejudice. The Court grants Plaintiff leave to file an amended complaint with regard to the dismissed claims on or before October 5, 2014. No further amendments to the complaint shall be permitted.

**DONE AND ORDERED** in Chambers at Ft. Lauderdale, Broward County, Florida this

\_\_\_\_\_ day of August, 2014.

JEFFREY E. STREITFELD

\_\_\_\_\_  
The Honorable Jeffrey E. Streitfeld  
CIRCUIT JUDGE

**AUG 25 2014**

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