

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT  
IN AND FOR ORANGE COUNTY, FLORIDA

Case No.: 2020-CA-9504-O

LYNN SANDFORD,  
JANE DOE 1,  
JOE DOE 1,

Plaintiffs,

vs.

NORTH SHORE AT LAKE HART  
HOMEOWNERS ASSOCIATION, INC., a  
Corporation,  
DAVID S. GORDON,  
JOHN DICK,  
STEPHEN SMITH,  
MICHAEL MCCAULEY,  
ROB TAUB,  
BURT PEARSALL,  
LISA SOLICK,  
PAUL SNYDER,  
JENNIFER ENGLERT  
and THE ORLANDO LAW GROUP, PL,

Defendants

**ORDER DISMISSING PLAINTIFFS' FIFTH AMENDED COMPLAINT WITH  
PREJUDICE AND FINAL JUDGMENT**

This action having been called for hearing before the court on May 4, 2023, on DEFENDANTS' MOTION TO DISMISS FIFTH AMENDED COMPLAINT FILED ON MARCH 8, 2023 WITH PREJUDICE, which was filed with the Clerk of Court on March 16, 2023, and the Court, after reviewing the pleadings and having heard argument, and having been otherwise fully advised in the premises, this Court **GRANTS THE MOTION TO DISMISS WITH PREJUDICE AND FURTHER FINDS IN SUPPORT OF ITS RULING:**

1. Sanford has filed multiple iterations of this Complaint that involves a lawsuit against NORTH SHORE AT LAKE HART HOMEOWNERS ASSOCIATION, INC., a Corporation, DAVID S. GORDON, JOHN DICK, STEPHEN SMITH, MICHAEL MCCAULEY, ROB TAUB, BURT PEARSALL, LISA SOLICK, PAUL SNYDER, JENNIFER ENGLERT, and THE ORLANDO LAW GROUP, PL (collectively, the “Defendants”). The lawsuit spans several years and several Boards of Directors with different members.
2. Multiple courts have ruled that the Complaints do not comply with the Florida Rules of Civil Procedure. Specifically, the multiple counts which span several years and involve several Boards of Directors, does not clearly allege which board members acted improperly during a particular period of time. Nor does the complaint specify who the board members were when an alleged unauthorized act occurred or what the act was as it relates specific board members. Thus, the Defendants are unable to properly respond or file affirmative defenses nebulous. See Fla. R. Civ. P. 1.110(b).
3. Sanford was informed on multiple occasions by the Court that the Complaints were repetitive and incoherent, yet each new complaint tracked verbatim previous complaints.
4. Gladstone v. Smith, 729 So.2d 1002, 1005 (Fla. 4<sup>th</sup> DCA 1999), the Court held that “where no viable cause of action is asserted after repeated opportunities to amend, dismissal is appropriate.” This court agrees.

**THEREFORE, IT IS CONSIDERED ORDERED AND ADJUDGED** that Plaintiffs, shall take nothing by this action and that Defendants, NORTH SHORE AT LAKE HART HOMEOWNERS ASSOCIATION, INC., a Corporation, DAVID S. GORDON, JOHN DICK,

STEPHEN SMITH, MICHAEL MCCAULEY, ROB TAUB, BURT PEARSALL, LISA SOLICK, PAUL SNYDER, JENNIFER ENGLERT, and THE ORLANDO LAW GROUP, PL (collectively, the “Defendants”), shall go hence without a day. The Court reserves jurisdiction to determine attorney’s fees and cost and any other remedy allowed by law.

**DONE AND ORDERED** in chambers, in Orange County, this 4<sup>h</sup> day of October, 2023.

10/04/2023 11:25:23  
2020-PA-001504-O  
*Emerson R. Thompson, Jr.*  
eSigned by Emerson Thompson 10/04/2023 11:25:23 Abi-rut

Circuit Court Judge  
Division 40

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on October 4, 2023, a true and correct copy of the foregoing was filed with the Clerk of the Court by using Florida Court’s E-Filing Portal system which will send notice of electronic filing and complete service of the foregoing as required by Florida Rules of Judicial Administration and/or via Email Transmission.

Counsel for Plaintiff(s) must serve a copy of this Order via U.S. Mail to all parties not receiving service of court filings through the Florida Courts e-Filing Portal and must file a Certificate of Service within three days from the date of this Order.

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