

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO COUNTY, FLORIDA

OFFICE OF THE ATTORNEY
GENERAL, DEPARTMENT OF LEGAL
AFFAIRS, STATE OF FLORIDA,

Plaintiff,

vs.

CASE NO. 51-2010-CA-2912-WS/G

BOTFLY L.L.C., DAVID R. LEWALSKI,
JON J. HAMMILL, and JON J.
HAMMILL, P.A.,

Defendants.

**ORDER GRANTING PLAINTIFF'S MOTION FOR PARTIAL SUMMARY
JUDGMENT AGAINST DEFENDANTS BOTFLY L.L.C. AND DAVID R. LEWALSKI**

This matter came before the Court upon the Plaintiff's Motion for Partial Summary Judgment Against Defendants Botfly L.L.C. and David R. Lewalski and Incorporated Memorandum of Law (the "Motion"). The Court, having reviewed the Motion, Affidavits, Depositions, and other papers, and being otherwise fully advised in the premises, hereby ORDERS AND ADJUDGES as follows:

1. Plaintiff's Motion is hereby GRANTED.
2. Partial Summary Judgment is hereby ENTERED in favor of Plaintiff, Office of the Attorney General, Department of Legal Affairs, State of Florida, and against Defendants Botfly L.L.C. and David R. Lewalski as to the liability of Defendants Botfly L.L.C. and David R. Lewalski for the claims asserted in Count I of the Amended Complaint.

3. The Court reserves jurisdiction to enter a Final Judgment in favor of Plaintiff and against Defendants Botfly L.L.C. and David R. Lewalski.

4. Further, this Court reserves jurisdiction of this action:

a. To determine the amount of restitution and award restitution to victims of Botfly L.L.C. and David R. Lewalski pursuant to Fla. Stat. § 517.191(5);

b. To determine a plan for payment of restitution to victims of Botfly L.L.C. and David R. Lewalski from the assets collected by the Receiver and any assets which may be collected in the future;

c. To grant equitable, legal, or other appropriate relief pursuant to Fla. Stat. § 517.191(5);

d. To assess civil penalties against Defendants Botfly L.L.C. and David R. Lewalski pursuant to Fla. Stat. § 517.191(5), for each violation of Fla. Stat. § 517.301;

e. To enter permanent and/or temporary injunctive relief in favor of Plaintiff and against Defendants Botfly L.L.C. and David R. Lewalski pursuant to Fla. Stat. § 517.191(5);

f. To supervise the work of the Receiver in this case;

g. To adjudicate the claims asserted against the other Defendants; and

h. To enter orders as appropriate in this action.

DONE and ORDERED in Chambers in New Port Richey, Pasco County, Florida, on this

9th day of June, 2011.

Stanley R. Mills
STANLEY R. MILLS
Circuit Judge

TRUE COPY
Stanley R. Mills