

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA, IN AND FOR MANATEE COUNTY
CIRCUIT CIVIL CASE

FILED FOR RECORD
R.B. SHORE
2013 FEB 19 AM 8:46
2013 FEB 19
CLERK CIRCUIT COURT
MANATEE CO. FLORIDA

WELLS FARGO BANK, N.A., SUCCESSOR
BY MERGER WITH WACHOVIA BANK, N.A.,

Plaintiff

v.

CASE NO. 2011-CA-000073

A BUN IN THE OVEN, a Florida corporation;
Darla Cook; Patrick Cook; San Marco Plaza
Condominium Association, Inc., a Florida not for
profit corporation; JANE/JOHN DOE, Fictitious
names representing tenants in possession; and ALL
UNKNOWN PARTIES CLAIMING INTERESTS
BY, THROUGH, UNDER OR AGAINST A NAMED
DEFENDANT TO THIS ACTION, OR HAVING
OR CLAIMING TO HAVE ANY RIGHT, TITLE OR
INTEREST IN THE PROPERTY HEREIN DESCRIBED,

Defendants

**ORDER ON PLAINTIFF'S AMENDED MOTION FOR PARTIAL SUMMARY
JUDGEMENT AS TO COUNT II AND MOTION FOR SUMMARY FINAL JUDGMENT
AS TO COUNT III**

THIS CAUSE came before the Court on January 3, 2013 on Plaintiff's Amended Motion for Partial Summary Judgment as to Count II and Motion for Summary Final Judgment as to Count III (the "Motion"). The Court, having heard argument from counsel and being otherwise fully advised in the premises, finds it is hereby

ORDERED AND ADJUDGED that:

1. The Motion is hereby GRANTED in part, DENIED in part;
 - a. The Motion is denied as to Count III.
 - b. The Motion is granted as to Count II as to Defendant Darla Cook's liability under the Unconditional Guaranty; and

c. The Motion is denied as to Count II as to Defendant Patrick Cook.

DONE AND ORDERED in Chambers at Bradenton, Manatee County, Florida, on this

11 day of February, 2013



Circuit Court Judge

Copies to:
Kelly J. Ruoff, Esq.
Erik P. Raines, Esq.