

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR SARASOTA, COUNTY, FLORIDA

WILLIAM A. CABANA,
Plaintiff,

and

Case No. 2006 CA 5063 SC

JAMES ZINGALE, EXECUTIVE
DIRECTOR, FLORIDA
DEPARTMENT OF REVENUE,
Defendant.

**ORDER DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT
AND ORDER GRANTING DEFENDANT'S MOTION TO DISMISS**

This Cause having come before the court on November 27, 2006 on the Plaintiff's Motion for Summary Judgment and the Defendant's Motion to Dismiss and the court after hearing argument of parties and being otherwise advised in the premises, it is hereupon

Ordered and Adjudged that the Plaintiff's Motion for Summary Judgment is denied. It is further

Ordered and Adjudged that the Defendant's Motion to Dismiss Plaintiff's Complaint is granted with prejudice.

Done and Ordered in Chambers, in Sarasota County, Florida on this _____ day of November, 2006.

LEE E. HAWORTH, CIRCUIT JUDGE

COMMENCED

NOV 27 2006

LEE E. HAWORTH
CIRCUIT JUDGE

Copies furnished to:

George Waas, Special Counsel
Office of the Attorney General
PL-01 The Capitol
Tallahassee, FL 32399-1050

William A. Cabana
1050 Capri Isles Blvd., Apt F-105
Venice, FL 34292