

**IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR MARION COUNTY, FLORIDA**

**DISCOUNT SLEEP OF OCALA, LLC d/b/a
MATTRESS WAREHOUSE, individually,
and as a Representative of a Class of all
similarly situated others, and DALE W.
BIRCH, individually and as a Representative
of a Class of all similarly situated others,**

Case No.: 2014 CA 000426

Plaintiffs,

v.

**CITY OF OCALA, FLORIDA, a political
subdivision of the State of Florida,**

Defendant.

JUDGMENT FOR TAXABLE COSTS

This matter came before the Court on January 3, 2022, on Plaintiffs' Motion to Tax Costs against Defendant. Based upon the pleadings, records, and documents filed by counsel, and the stipulation of counsel, the Court finds that the Motion should be **GRANTED**.

1. The Court finds that the taxable legal costs and charges incurred by Plaintiffs are \$67,353.89. Plaintiffs' costs were advanced by Class Counsel, Bowen|Schroth.

2. The Court finds that, in accordance with Section 57.041(1), Florida Statutes, Plaintiffs, the prevailing party, shall recover from Defendant, the nonprevailing party, all the prevailing party's taxable legal costs and charges.

IT IS THEREFORE ORDERED that,

1. Plaintiffs' Motion to Tax Costs Against Defendant is hereby **GRANTED**.

2. Taxable costs incurred in this action, in the amount of \$67,353.89 as set forth in Exhibit "A", attached to Plaintiffs' Motion to Tax Costs Against Defendant, plus interest at the legal rate of 4.25% from the date this judgment is signed adjusted annually on January 1 of each year in accordance with the interest rate in effect on that date as set by the Chief Financial Officer, are hereby taxed against Defendant, the City of Ocala, for which let execution issue.

3. The judgment debtor shall complete under oath Florida Rule of Civil Procedure Form 1.977 (Fact Information Sheet), including all required attachments, and serve it on the

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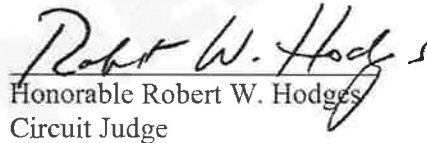
judgment creditor's attorney, or the judgment creditor if the judgment creditor is not represented by an attorney, within 45 days from the date of this final judgment, unless the final judgment is satisfied, or post-judgment discovery is stayed.

4. Jurisdiction of this case is retained to enter other judgments taxing costs against Defendant for additional taxable costs Plaintiffs incur in this case, to enter further orders that are proper to compel the judgment debtor to complete form 1.977, including all required attachments, and serve it on the judgment creditor's attorney, or the judgment creditor if the judgment creditor is not represented by an attorney, and for any other necessary actions related to this case.

5. The address of judgment debtor, the City of Ocala, is 110 SE Watula Avenue, Ocala, FL 34471.

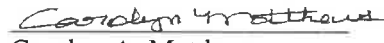
6. The address of judgment creditors, Bowen|Schroth, is 600 Jennings Avenue, Eustis, FL 32726.

DONE AND ORDERED in Ocala, Marion County, Florida, this 3rd day of January, 2022.


Honorable Robert W. Hodges
Circuit Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and accurate copy of the foregoing will be provided through the E-Portal this 3rd day January, 2022.


Carolyn A. Matthews
Judicial Assistant

BOWEN | SCHROTH

Attorneys

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‡ Board Certified in Wills, Trusts and Estates
^ Board Certified in City, County and Local Government Law and Business Litigation

Incoming Wire Instructions (FNBMD Operating Account - domestic wires only)

Bank Information: First National Bank of Mount Dora
714 N. Donnelly St.
Mount Dora, FL 32757
352-383-2111
ABA # 063104312

Account Information: Bowen & Schroth, P.A. Operating Acct
600 Jennings Avenue
Eustis, FL 32726
352-589-1414
Account # 0151253

Reference/FBO Please reference client name, and/or
Client number.