

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT, IN AND
FOR MIAMI-DADE COUNTY, FLORIDA

CASE NO.: 2017-026997-CA-01

ADF INTERNATIONAL, INC., a foreign
corporation,

Plaintiff,

v.

SUFFOLK CONSTRUCTION COMPANY,
INC., a foreign corporation, FEDERAL
INSURANCE COMPANY, a foreign
corporation, FIDELITY AND DEPOSIT
COMPANY OF MARYLAND, a foreign
corporation, LIBERTY MUTUAL
INSURANCE COMPANY, a foreign
corporation, ZURICH AMERICAN
INSURANCE COMPANY, a foreign
corporation, SKIDMORE, OWINGS,
MERRILL FLORIDA LLC, a foreign limited
liability company, ALL ABOARD FLORIDA
– OPERATIONS, LLC, a foreign limited
liability company and DTS 2MC OFFICE,
LLC, a foreign limited liability company,,

Defendants.

OMNIBUS ORDER ON MATTERS HEARD ON APRIL 17, 2018

THIS CAUSE, having come before the Court on April 17, 2018 upon the Motions to Dismiss Plaintiff's Complaint asserted by Suffolk Construction Company and its sureties, filed January 19, 2018 (Filing #66797633), by All Aboard Florida – Operations, LLC and DTS 2MC Office, LLC ("Owners"), filed January 19, 2018 (Filing #66781904) and by Skidmore Owings Merrill Florida, LLC ("SOM"), filed January 23, 2018 (Filing #66877109), to each of which

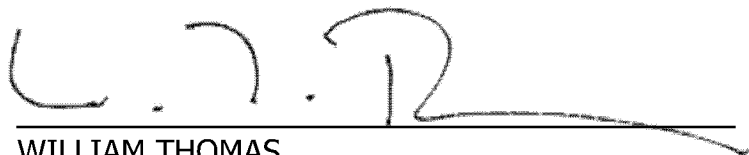
ADF International, Inc. (“ADF”) responded and movants each replied, the Court having considered the submissions, heard argument of counsel and being otherwise fully advised in the premises, it is hereby **ORDERED** and **ADJUDGED**:

1. Suffolk’s and its Sureties’ Motion to Dismiss is **DENIED**. However, their Motion for More Definite Statement is **GRANTED** and, within ten (10) days from the date of this Order, ADF shall file its More Definite Statement (which may be included in an Amended Complaint) setting forth the nature of ADF’s claim against the Sureties and the types of damages claimed against Sureties. Within twenty (20) days of ADF’s More Definite Statement, Suffolk and its Sureties shall answer the Amended Complaint.

2. SOM’s Motion to Dismiss is **DENIED** and SOM shall answer the Amended Complaint within twenty (20) days of its filing (presuming that the Amended Complaint does not alter the allegations against SOM).

3. Owners’ Motion to Dismiss is **GRANTED** with leave for ADF to amend within ten (10) days from the date of this Order.

DONE AND ORDERED in Chambers at Miami-Dade County, Florida, on 04/24/18.



WILLIAM THOMAS
CIRCUIT COURT JUDGE

**No Further Judicial Action Required on THIS
MOTION
CLERK TO RECLOSE CASE IF POST
JUDGMENT**

The parties served with this Order are indicated in the accompanying 11th Circuit email confirmation which includes all emails provided by the submitter. The movant shall IMMEDIATELY serve a true and correct copy of this Order, by mail, facsimile, email or hand-delivery, to all parties/counsel of record for whom service is not indicated by the accompanying 11th Circuit confirmation, and file proof of service with the Clerk of Court.

Signed original order sent electronically to the Clerk of Courts for filing in the Court file.

cc: Counsel of Record