

**STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES**

IN RE: PETITION FOR RECALL ARBITRATION

**THE FOREST AT RIDGEWOOD HOMEOWNERS
ASSOCIATION, INC.,**

PETITIONER,

V.

CASE NO.2026-02-9833

**OWNERS VOTING FOR RECALL,
LARRY BASSETT, DESIGNATED
HOMEOWNERS' REPRESENTATIVE
318 BOXWOOD DR., DAVENPORT,
FLORIDA 33837,**

RESPONDENT.

_____ /

MOTION TO STRIKE RESPONDENT'S EXHIBIT

SUBMISSIONS FILED MAY 29, 2026

COMES NOW, Petitioner, The Forest at Ridgewood Homeowners Association, Inc.,
(hereinafter as the "Association") by and through the undersigned counsel and files this Motion
to Strike Respondent's Exhibit Submissions filed May 29, 2026 against Respondent, Owners
Voting for Recall, Larry Bassett, Designated Homeowners' Representative, and in support
thereof, states as such:

1. On or about April 27, 2026, the Association filed its Petition for Mandatory
Binding Arbitration – Recall Dispute.

2. On or about May 04, 2026, the Division filed its Order Requiring Answer to
Petition within twenty (20) days of Respondent's receipt of the May 04, 2026 Order.

3. On or about May 26, 2026, the Respondent provided the Association with a slew of documents (it is unknown if same were provided to the Division) identified as D1 Respondent's Answer; D2 Statement of Facts; D3 Affirmative Defenses; D4 Motion to Strike Improper Ballot Rejections; D5 Motion for Summary Final Order; D6 Respondent's Evidence Index (absent any of the exhibits indexed therein); D7 Certificate of Service; D8 Respondent's Proposed Final Order; D9 Respondent's Proposed Order on Evidence; D10 Respondent's Proposed Order Granting Summary Final Order; and D12 Respondent's Notice of Filing Respondent's D1-D11.

4. According to the USPS tracking information associated with the Certified Mail Receipt on the last page of the May 04, 2026 Order, [9589 0710 5270 2364 1358 14] the Respondent received the May 04, 2026 Order on May 08, 2026.

5. Twenty (20) days from May 08, 2026 is May 28, 2026.

6. While Respondent may have filed the aforementioned pleadings and motions on May 26, 2026, those pleadings and motions did not contain any exhibits referenced therein. See pages 26 and 26 of Respondent's June 01, 2026 filing.

7. Notably as it pertains to this Motion, Respondent's June 01, 2026 filing at page 25 expressly reflects all of the aforementioned Exhibits a-v within Sections 1-7, apply to Respondent's Answer, Statements of Facts, Affirmative Defenses and Motions (unidentified).

8. It is well established Florida law that exhibits are part of the Complaint (petition) as the case may be. *Age of Empire, Inc v Ocean Two Condo. Association, Inc.*, 367 So.3d 1278 (Fla. App. 2023); *Orr v. AT&T Mobility, LLC*, 3D23-0097, 3D23-0098, 3D23-0099 (Fla. App. Jul 31, 2024).

9. As such, all of Respondent's exhibits now provided on May 29, 2026 and June 01, 2026 must be struck as untimely.

10. Furthermore, Petitioner has been significantly prejudiced by this late disclosure of exhibits as pursuant to Rule 61B-80.113(1) FAC and Rule 61B-80.114(4), Petitioner had seven (7) days to respond to such motions, or June 02, 2026.

11. Such action of Respondent to fail to produce such exhibits until this late date (another untimely filing) has significantly hindered and unfairly disadvantaged Petitioner in forming a timely response to the aforementioned Answer/Affirmative Defenses and other various motions filed by Respondent with the Exhibits taken into consideration.

12. Furthermore, Respondent's DBPR Exhibits Submission Date June 1, 2026 fails to comply with Rule 61B-80.110(6)(e), FAC.

WHEREFORE, Petitioner requests the Arbitrator grant the instant Motion to Strike and strike all of Respondent's exhibits as untimely and prejudicial to Petitioner; and award Petitioner its attorney fees and costs for this matter; and for any other and such relief as the Arbitrator deems, just, proper or equitable.

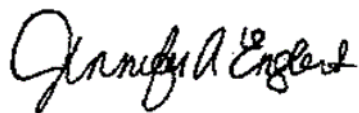
[Intentionally left blank-Signature to follow]

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on June 4, 2026, a true and correct copy of the foregoing has been filed with the Department of Business & Professional Regulation, Condominium Arbitration and Mediation Program via Facsimile Transmission 850-487-0870 and furnished to the following as indicated:

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Condominium Arbitration and
Mediation Program
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