

IN THE CIRCUIT COURT OF THE 18TH  
JUDICIAL CIRCUIT IN AND FOR  
BREVARD COUNTY, FLORIDA

CASE NO.: 05-2008-CA-179

CREDIT BASED ASSET SERVICING  
AND SECURITIZATION, LLC,

Plaintiff,

v.

[REDACTED]

Defendant.

**ORDER GRANTING DEFENDANT'S MOTION TO DISMISS**

This Cause came to be heard upon the Defendant's Motion to Dismiss and the Court's FWOP notice. The Court having reviewed the Defendant's Motion, the Court's docket, and Plaintiff's Notice of Showing Good Cause, and having heard argument of Counsel does hereby make the following finding of fact:

1. The instant action is a lawsuit to foreclose on residential real property in Brevard County, Florida.
2. On July 26, 2010, counsel for the Defendant filed a Motion to Dismiss for Lack of Prosecution. During the one year immediately prior to the Defendant's motion there was no record activity. During the year preceding the filing of the Motion to Dismiss, the Plaintiff was represented by Florida Default Law Group, P.L.

WHEREFORE it is ORDERED AND ADJUDGED

3. The Court does not find good cause why the case should not be dismissed.
4. Defendant's Motion to Dismiss is granted.

5. The instant case is dismissed without prejudice.
6. The Court shall retain jurisdiction to adjudicate the issue of attorney fee entitlement.

**DONE AND ORDERED** at the Brevard Courthouse, located in the City of Viera,  
Florida, on this 15 day of November, 2010. **ORIGINAL SIGNED ON**

NOV 15 2010

BY JUDGE CHARLES M. HOLCOMB  
CIRCUIT JUDGE

Charles M. Holcomb, Circuit Judge

Copies to: Jennifer Howell, Esq. (Attorney for Plaintiff)  
Richard Shuster, Esq. (Attorney for Defendant) — ~~in person~~ <sup>mailed</sup>