

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF FLORIDA CONDOMINIUMS, TIMESHARES AND MOBILE HOMES

IN RE: PETITION FOR ARBITRATION

STEPHEN SMITH,

Filed with
Arbitration Section

Petitioner,

AUG 18 2009

v.

Div. of FL Condos, Timeshares & MH
Dept. of Business & Professional Reg.

Case No. 2009-03-4877

WATER BRIDGE 2 ASSOCIATION, INC.,

Respondent.

ORDER REQUIRING SERVICE BY PETITIONER

This cause comes before the undersigned because the order requiring answer and the enclosures were not successfully served on the respondent by certified mail. Since jurisdiction over the respondent is obtained by service of the petition and Order Requiring Answer, which service is verified by the return receipt, and since the time for an answer is dependent upon the date the respondent receives the order, this proceeding cannot move forward until the respondent is served.

In cases where service of the petition by certified mail cannot be accomplished, the petitioner is required to serve the petition, along with a copy of the Order Requiring Answer and the rules, on the respondent in the manner provided by law for service of subpoenas issued by the circuit courts of Florida. (Rule 1.410(c), Fla. R. Civ. P.). Service over the respondent also may be obtained in accordance with Chapter 48, Florida Statutes. Proof of service shall be made by affidavit of the person making service if not served by an officer authorized by law to do so. Regardless of the method of service, a return must be filed with the arbitrator to establish the date of service and the date the answer is due.

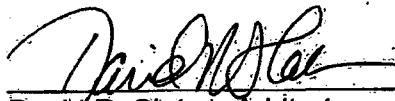
Petitioner shall have 45 days from the date of this order in which to effectuate service, failing which the petition shall be dismissed.

Based on the foregoing, it is

ORDERED:

Petitioner shall serve a copy of the Petition, the Order Requiring Answer, and the rules (all of which are enclosed) on the respondent in accordance with the requirements of Rule 1.410, Fla. R. Civ. P., or Chapter 48, Florida Statutes. A copy of the return shall be filed with the arbitrator and will establish the date from which the 14-day time period for filing an answer will commence.

DONE AND ORDERED this 18th day of August, 2009, at Tallahassee, Leon County, Florida.



David R. Slaton, Arbitrator
Department of Business and
Professional Regulation
Arbitration Section
1940 North Monroe Street
Tallahassee, Florida 32399-1029
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