

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

CASE NO. 05-2013-CA-33457

SCOTT ELLIS, in his official capacity as
Brevard County Clerk of the Circuit Court,

Plaintiff,

vs.

BLUEGEM, LLC, a Florida limited liability
company,

Defendant.

BLUEGEM, LLC, a Florida limited liability
company,

Counter-Plaintiff,

vs.

SCOTT ELLIS, in his official capacity as
Brevard County Clerk of the Circuit Court.

Counter-Defendant.

FILED IN OPEN COURT
Date: 10.17.13 Time: 11:00AM
CLERK, CIRCUIT AND COUNTY COURT
By: Depeitea D.C.

ORDER APPOINTING COMMISSIONER

THIS CAUSE, having come before the Court on Plaintiff's Motion for Appointment of Commissioner to take Deposition in the State of Michigan, for purposes of taking the deposition of NICHOLAS GEANEY of Cadillac, Michigan, the Court having reviewed the Motion and otherwise being fully advised of the premises, it is

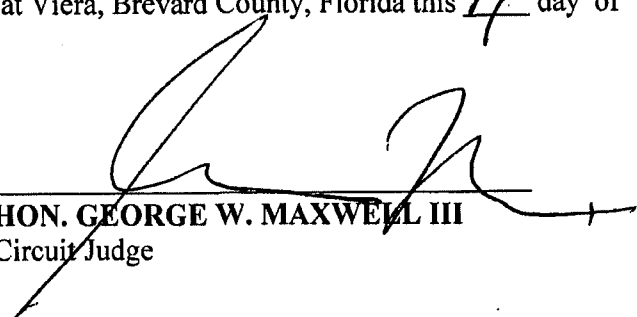
ORDERED and ADJUDGED as follows:

1. Plaintiff's Motion for Appointment of Commissioner to take Deposition in the State of Michigan is Granted.

2. Network Reporting, 2604 Sunnyside Drive, Cadillac, MI 49601, (800) 632-2720, or such other person or entity as is authorized to administer oaths and take depositions in the State of Michigan, is hereby appointed as Commissioner for the purpose of administering oaths and taking the deposition of fact witness Nicholas Geaney.

DONE and ORDERED in chambers at Viera, Brevard County, Florida this 17th day of

October, 2013.


HON. GEORGE W. MAXWELL III
Circuit Judge

Conformed copies to:
Alec Russell, Esq.
Foley & Lardner LLP
Rose Harr, 202 West Drive Melbourne FL 32904

3. The Plaintiff shall wait at least 30 days before issuing a subpoena for the witnesses deposition, the deposition shall take place at least 30 days after issuance of the subpoena, and Plaintiff's counsel shall attempt to coordinate ~~the~~ the deposition with the Defendant's then current counsel, if any.