

IN THE CIRCUIT COURT OF THE 16<sup>TH</sup>  
JUDICIAL CIRCUIT OF FLORIDA, IN  
AND FOR MONROE COUNTY

THOMAS F. COLLINS, *et al.*,

Plaintiffs,

vs.

MONROE COUNTY, *et al*


Defendants.

CASE NO. CA-M-04-379

**PLAINTIFFS' NOTICE OF ABANDONMENT OF MOTION FOR SUMMARY  
JUDGMENT ON LIABILITY AND CLAIMS FOR TEMPORARY REGULATORY  
TAKING DAMAGES FOR EXTRAORDINARY DELAY**

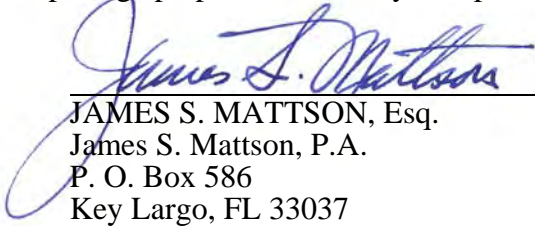
As stated in open Court on two occasions, Plaintiffs give written notice they have abandoned their Motion for Partial Summary Judgment on Liability. Plaintiffs continue to rely on the affidavits and other material filed in support of said Motion for Partial Summary Judgment in opposition to Defendants' Summary Judgment Motions.

Plaintiffs also give notice they have abandoned their claims for temporary regulatory taking damages for extraordinary delays in rendering their Beneficial Use Determinations. A Motion for Leave to Amend by Interlineation, reflecting this abandonment, was served and filed simultaneously with this Notice.

  
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JAMES S. MATTSON, Esq.  
Co-Counsel for Plaintiffs  
Florida Bar No. 360988

**CERTIFICATE OF SERVICE**

I certify that I served a copy of the foregoing on **Robert Shillinger, Esq.**, Assistant Monroe County Attorney, P.O. Box 1026, Key West, FL 33041-1026, **Robert H. Freilich, Esq.**, Paul, Hastings, et al., 515 S Flower St FL 25, Los Angeles, CA 90071-2201, **Stephen J. Moore, Esq.**, 1500 Traders on Grand Bldg, 1125 Grand Blvd, Kansas City, MO 64106-2511, and **Jonathan A. Glogau, Esq.**, Special Counsel, PL-01 The Capitol, Tallahassee, FL 32399-1050, by facsimile transmission, and by first-class mail, postage prepaid, this 5<sup>th</sup> day of April 2006.

  
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