

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA**

Governor Rick Scott, Attorney General
Pam Bondi, Chief Financial Officer Jeff
Atwater, and Commissioner Adam Putnam,
as the Board of Trustees for the
Internal Improvement Trust Fund, et al.,
Defendants/Appellants,

Case No.: 2012 CA 859
Judge John Cooper

v.

Steven R. Andrews,
Plaintiff /Appellee.

Board of Trustees of the Internal
Improvement Trust Fund of the
State of Florida,
Plaintiff/Appellant,

Case No. 2012 CA 3416
Judge John Cooper

v.

Grove Properties Limited, a Florida
Limited Partnership and John K. Aurell,
as general partner of Grove Properties Limited,

Defendants/Appellees.

NOTICE OF APPEAL

NOTICE IS GIVEN that the Board of Trustees of the Internal Improvement Trust Fund (“Board”), Defendant/Appellant and Plaintiff/Appellant, appeals to the First District Court of Appeal (as a protective appeal) the order of this Court rendered September 30, 2013. (A conformed copy is attached.) The nature of the September 30, 2013 order is an order (final in form) that is designated a “Final Judgment”--determining, as between Steven R. Andrews and the Board, who may purchase the subject property (“Grove Property”)--but which does not end judicial labor in other integrally-related legal and equitable claims pending between these parties

(and the seller/seller's agent) below, that also wholly pertain to the Grove Property and involve the same operative facts.*

Respectfully submitted,

PAMELA JO BONDI
Attorney General,
Attorney for the Board of Trustees

/s/ Joseph Spejenkowski
Joseph Spejenkowski
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* These integrally-related claims are reflected, *inter alia*, in (1) the Board's three-count, unanswered complaint against the Grove Property seller and its agent in Board of Trustees v. Grove Properties Ltd. and John K. Aurell (and motion for partial summary judgment); (2) Andrews' January 13, 2013 Third Amended Complaint; (3) the Board's February 28, 2013 Motion to Strike parts of Andrews' Third Amended Complaint; (4) the Board's March 15, 2013 Answer and Defenses to Andrews' Third Amended Complaint; and (5) the Board's March 15, 2013, Compulsory Counterclaim to Andrews' Third Amended Complaint.

CERTIFICATE OF SERVICE

I CERTIFY the foregoing was served on October 17, 2013 by electronic mail to:

<p>Benjamin M. Melnick Frederick L. Aschauer, Jr. Office of the General Counsel Department of Environmental Protection 3900 Commonwealth Blvd. MS 35 Tallahassee, FL 32399-3000 Benjamin.Melnick@dep.state.fl.us Fred.Aschauer@dep.state.fl.us Kimberly.cupp@dep.state.fl.us Fawn.Brown@dep.state.fl.us DEP.defense@dep.state.fl.us</p> <p>Attorney for Department of Environmental Protection</p>	<p>Steven R. Andrews Stephen Webster Brian O. Finnerty Ryan J. Andrews The Law Offices of Steven R. Andrews, P.A. 822 North Monroe Street Tallahassee, FL. 32303 SWebster@andrewslawoffice.com service@andrewslawoffice.com SAndrews@andrewslawoffice.com BFinnerty@andrewslawoffice.com Ryan@andrewslawoffice.com</p> <p>Attorney for Steven R. Andrews</p>
<p>James Judkins Judkins, Simpson, High & Schulte Post Office Box 10368 Tallahassee, FL 32302-2368 JJudkins@readyfortrial.com FSnavely@readyfortrial.com</p> <p>Attorney for Grove Properties and J. Aurell</p>	

/s/ Joseph Spejenkowski
Joseph Spejenkowski
Assistant Attorney General

IN THE CIRCUIT COURT OF THE
SECOND JUDICIAL CIRCUIT, IN AND
FOR LEON COUNTY, FLORIDA

CASE NO. 2012 CA 859

Steven R. Andrews,

Plaintiff,

v.

Governor Rick Scott, Attorney General
Pam Bondi, Chief Financial Officer
Jeff Atwater, and Commissioner
Adam Putnam, as the Board of Trustees
for the Internal Improvement Trust Fund;
The Department of Environmental Protection;

Defendants.

FILED
2013 SEP 30 P 3:29
CLERK OF CIRCUIT COURT
LEON COUNTY, FLORIDA

FILED

Board of Trustees of the Internal Improvement
Trust Fund of the State of Florida

Plaintiff,

v.

Grove Properties Limited, a Florida
Limited Partnership and John K. Aurell,
As general partner of Grover Properties Limited.

Defendants,

FINAL JUDGMENT

This cause came before the court on a Motion to Enter Final Declaratory Judgment on the right to purchase property owned by Grove Properties Limited, a Florida Limited Partnership. This judgment is entered on the issue of which party has the right to purchase property based on the competing claims of Steven R. Andrews (Plaintiff in case number 2012 CA 859) and The Board of

EXHIBIT

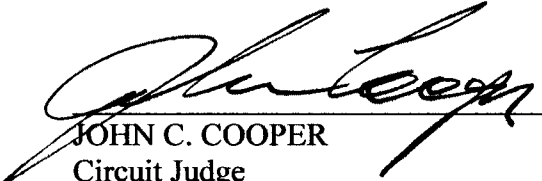
Trustees of the Internal Improvement Trust Fund of the State of Florida (Plaintiff in case number 2012 CA 3416). With the consent of the parties, the court entered an order on November 7, 2012, consolidating the two cases for all purposes and severing the right to purchase issue from all other claims brought in both cases. On August 12, 2013, the court entered its Order Granting Summary Judgment Against the Board of Trustees of the Internal Trust Fund of the State of Florida ("Summary Judgment Order"), and this final judgment is based on the rulings contained in that order.

The Court being otherwise advised in the premises, it is hereby declared:

1. Steven R. Andrews has the right to purchase the property in dispute.
2. The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida held a right of first refusal to purchase the property, but for the reasons announced in the Summary Judgment Order, the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida failed to exercise its right to purchase it. Therefore, Andrews shall purchase and Grove Properties Limited, shall sell the property, free from any claim under the right of first refusal.
3. The court reserves jurisdiction to award attorneys' fees and costs, if applicable.

DONE AND ORDERED in Tallahassee, Leon County, Florida, this 30th day of

September 2013.


 JOHN C. COOPER
 Circuit Judge

copies to:

Frederick L. Aschauer, Jr.
 Benjamin M. Melnick
 Steven R. Andrews
 James P. Judkins
 Ashley Davis
 James A. Peters
 Joseph A. Spejenkowski
 Heather Stearns

Copies Mailed By
 SB on 9-30-13