

**STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF CONDOMINIUMS, TIME SHARES, AND MOBILE HOMES**

IN RE: PETITION FOR RECALL ARBITRATION

TOWERS NORTH CONDOMINIUM

Case No. 2008-06-8783

Petitioner,

v.

UNIT OWNERS VOTING FOR RECALL,

Respondent.

_____ /

NOTICE OF REASSIGNMENT AND ORDER OF DISMISSAL

Notice of Reassignment

This case was reassigned to the below-named arbitrator, and all future pleadings or other communications are to be directed to the undersigned.

Order Of Dismissal

This case was filed by Petitioners Altagracia Camacho and Luis Guerra in an attempt to recall two members of the Board of Directors. However, the Petitioners did not file the correct petition form, as required by law. .

By Order of January 7, 2009, the arbitrator directed the Petitioners to file an amended petition on or before January 21, 2009, using the correct form.

On February 11, 2009, The Petitioners filed an amended petition on the correct form, but without allegations required for a reverse recall action; i.e. that the Board of Directors–

1. Was served with a written recall agreement;
2. Failed to timely hold a meeting to consider the recall; and,
3. Failed to file for recall arbitration.

Instead, the Petitioners have articulated their reasons for recalling the Board of Directors, which facts are irrelevant to the reverse recall action.

Because the Amended Petition does not state the requisite facts in support of a reverse recall, this cause is **DISMISSED** without prejudice. Should the Petitioners re-file a reverse recall action, it is recommended that they consult an attorney.

DONE AND ORDERED this 20th day of February 2009, at Tallahassee, Leon County, Florida.

Shirley J. Whitsitt, Arbitrator
Dept. Bus. and Prof. Reg., Arbitration Section
Northwood Centre
1940 North Monroe Street
Tallahassee, Florida 32399-1029

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the foregoing final order was mailed by U.S. mail, postage prepaid, this 20th day of February, 2009, to:

Altagracia Camacho
8095 NW 8th St., #409
Miami, FL 33126

Luis Guerra
8095 8th St., #415
Miami, FL 33126

Shirley J. Whitsitt, Arbitrator