

IN THE CIRCUIT COURT, SEVENTH
JUDICIAL CIRCUIT, IN AND FOR
FLAGLER COUNTY FLORIDA

CASE NO.: 2021 CA 000109
DIVISION: Christopher A. France

FLAGLER COUNTY,

Plaintiff,

v.

AJMAL M. ZULALI, ZUBAIR M.
ZULALI and 2251 S OLD DIXIE
HIGHWAY LLC,

Defendants.

ORDER FINDING CIVIL CONTEMPT

THIS MATTER came to be heard on the Plaintiff's, FLAGLER COUNTY, Motion for Contempt filed on October 21, 2024 (Dkt. 91), and the Court considering the Motion and the arguments of counsel made before the Court at the hearing held October 30, 2024, and being otherwise fully advised in the premises, the Court hereby finds:

This action involves the enforcement of an agreement between Plaintiff, FLAGLER COUNTY, and the Defendant, 2251 S OLD DIXIE HIGHWAY LLC, regarding a dilapidated and abandoned property located in Flagler County at 2251 South Old Dixie Highway, Bunnell, Florida 32110. On June 19, 2024, the Court entered an Order Granting Plaintiff's Amended Motion for Partial Summary Judgment (Dkt #79) finding the agreement between the parties valid and binding and that the County had fully performed its obligations under the agreement. The Court ordered the Defendant, 2251 S OLD DIXIE HIGHWAY LLC, within 10 days, to perform its obligations under the agreement and deposit the \$250,000.00 cash bond with the Flagler County Clerk of Court

as security for the abatement of the public health and building code violations that exist on the property.

The Defendant has intentionally and steadfastly refused to comply with the Court's Order and deposit the cash bond. On September 3, 2024, the Court entered an Order for Discovery in Aid of Execution (Dkt. #88), requiring the Defendant to disclose its financial condition and complete form 1.977, including producing all attachments within 45 days. The Order informed the Defendant that the refusal and failure to complete form 1.977, including producing all attachments within 45 days, may constitute contempt of Court.

The Defendant did not comply with the Court's Order and complete form 1.977, and did not produce all attachments within 45 days, which could allow the Court to review evidence of the Defendant's financial resources. On October 18, 2024, the Defendant filed a Motion for Extension of Time (Dkt. 90). The Court rejects the Defendant's proffered excuse in its motion that it was prevented from complying with the Court's Order as a result of unspecified holidays. The Court finds that the Defendant's actions, including its continued refusal to comply with the Court's Orders, is consistent with its longstanding pattern of disregard for the judicial process and the Court's authority.

It is therefore ORDERED and ADJUDGED as follows:



1. Plaintiff's, FLAGLER COUNTY, Motion for Contempt (Dkt. 91), is hereby GRANTED and the Defendant is hereby found to be in contempt of Court;
2. The Defendant, 2251 S OLD DIXIE HIGHWAY LLC, shall, within 14 days of the date of this Contempt Order, comply with the Court's Orders and deposit the \$250,000.00 cash bond with the Flagler County Clerk of Court and disclose its financial condition by completing form 1.977, including producing all attachments;

3. If the Defendant, 2251 S OLD DIXIE HIGHWAY LLC, fails to comply with the Court's Orders and deposit the \$250,000.00 cash bond with the Flagler County Clerk of Court and disclose its financial condition by completing form 1.977, including producing all attachments within 14 days of this Order, the Defendant, 2251 S OLD DIXIE HIGHWAY LLC, shall be assessed a monetary fine of \$1,000.00 per day until such time as the Defendant, 2251 S OLD DIXIE HIGHWAY LLC, complies with the Court's Orders and deposits the \$250,000.00 cash bond with the Flagler County Clerk of Court and completes form 1.977, including producing all attachments; and

4. The Court further orders that all future proceedings before the Court in this matter shall be attended by the Manager of the Defendant, 2251 S OLD DIXIE HIGHWAY LLC, and its counsel in person.

DONE AND ORDERED in Chambers in Bunnell, Flagler County, Florida.

11/1/2024 2:29 PM 2021 CA
000109



e-Signed 11/1/2024 2:29 PM 2021 CA 000109

Christopher A. France
Circuit Court Judge

Copies to:
Abraham C. McKinnon, Esquire
Albert J. Hadeed, Esquire
Sean S. Moylan, Esquire
Theodore D'Apuzzo, Esquire