

**IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT
IN AND FOR COLLIER COUNTY, FLORIDA
CIVIL ACTION**

WILLIAM MILLER and SUSAN KELLEGHAN,
as Trustee of the Susan I. Kelleghan Trust
dated 11/06/2007,

Plaintiffs,

Case No. 23-CA-2032

v.

RIVERBEND OF NAPLES MOBILE
HOMEOWNERS ASSOCIATION, INC.,

Defendant;

and

PHILLIP LUTZI,

Intervenor.

_____ /

ORDER DENYING MOTION TO DISMISS

THIS CAUSE, having come before the Court upon Defendant/Intervenor's Motion to Dismiss Amended Complaint (Dkt.No. 65), and the Court having reviewed the Motion and the Second Amended Complaint, and having heard argument from counsel, and being otherwise fully advised in the premises, it is hereby,

ORDERED AND ADJUDGED that:

1. The Motion to Dismiss is **denied**.
2. Defendants Riverbend of Naples Mobile Homeowners Association, Inc., and Intervenor, Philip Lutzi, shall file their respective answers to the Second Amended Complaint within twenty (20) days of the date of this Order.



eSigned by Foster, Joseph G in 11-2023-CA-002032-0001-XX 05/16/2024 11:54:54 PteLq99

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