

IN THE TWELFTH JUDICIAL CIRCUIT COURT
IN AND FOR SARASOTA COUNTY, FLORIDA

MICHAEL T FLYNN,
Plaintiff,

v.

CASE NO. 2023 CA 004264 NC
DIVISION C CIRCUIT

JIM STEWARTSON,
RICK WILSON,
MEIDASTOUCH LLC,
Defendant.

**ORDER GRANTING
DEFENDANT WILSON'S MOTION
FOR TRIAL COURT ATTORNEY FEES AND COSTS
PURSUANT TO SECTION 768.295(4), FLORIDA STATUTES**

BEFORE THE COURT is Defendant Rick Wilson's Motion for Attorney Fees and Costs [DIN 90]. The basis for attorney fees and costs is section 768.295(4), Florida Statutes.


The Second District Court of Appeal has previously determined entitlement to appellate attorney fees under section 768.295(4) [DIN 121].

The Court finds Defendant Wilson is entitled to trial court attorney fees and costs under section 768.295(4) and therefore grants the motion.

The Court does not set the question of amount of those attorney fees and costs (or the appellate fees) to mediation at this time, pending resolution of entitlement to Defendant Wilson's contention that he is also entitled to attorney fees pursuant to section 57.105, Florida Statutes. Until that issue is resolved, the Court believes mediation would be premature.

By separate order, the Court will set a 1 hour hearing on the issue of entitlement to those section 57.105 attorney fees. At the conclusion of that hearing, and assuming the Court has ruled, the Court will then address how the Court will proceed on the amount of attorney fees and costs based on section 768.295(4).

DONE AND ORDERED in Sarasota, Sarasota County, Florida, on March 03, 2025.


3/3/2025 10:45 AM 2023 CA
004264 NC
e-Signed 3/3/2025 10:45 AM 2023 CA 004264 NC

HUNTER W CARROLL

SERVICE CERTIFICATE

On March 03, 2025, the Court caused the foregoing document to be served via the Clerk of Court's case management system, which served the following individuals via email (where indicated). On the same date, the Court also served a copy of the foregoing document via First Class U.S. Mail on the individuals who do not have an email address on file with the Clerk of Court.

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JIM STEWARTSON,
RICK WILSON,
MEIDASTOUCH LLC,
Defendant.

ORDER SETTING HEARING

YOU ARE NOTIFIED that a Court hearing is scheduled in this case before the Honorable Hunter W. Carroll, as follows:

Date & Time: April 08, 2025 at 10:30 a.m.

Time Reserved: 60 minutes

Matter(s): DIN 77 - Defendant Stewartson's Motion for Sanctions (NOTE, the Court will only address the issue of entitlement.)

If the Court rules on that motion, the Court will address how to proceed with the entitlement to attorney fees and costs already found to exist under section 768.295(4), Florida Statutes.

Is hearing evidentiary? Yes

Judge Carroll has a “hybrid courtroom,” which will allow participants to either appear “in person” or via Zoom.

- For all non-evidentiary hearings and for evidentiary hearings one hour or less, each participant has the discretion to determine how that participant will appear.
- For evidentiary hearings exceeding one hour, the participants must appear in person unless the Court orders otherwise.

Please do **not** call the Court's Judicial Assistant to advise how the participant will appear. Instead, Judge Carroll expects the participants to appear on-time, either in person or via Zoom.

Courthouse location: Lynn N. Silvertooth Judicial Center - 2002 Ringling Blvd. - Sarasota - FL 34237

Courtroom: 6-C

Zoom Credentials: <https://www.zoom.us/> Click "Join A Meeting"
Meeting ID: 353 234 4884
Password: 756433
Audio only: 1.253.215.8782 and use the same Meeting ID

There are no fees for attending this court hearing via the Zoom platform. You may access the Zoom platform at <https://www.zoom.us>. Please select the "Join A Meeting" link and then enter the Meeting ID and Password to access the hearing. You may also join the court hearing from Judge Carroll's Zoom Video Conference Access Information page at <https://www.jud12.flcourts.org/Public-Information/Public-Court-Hearings>.

Court proceedings are open to the public. Members of the public may appear live or use the Zoom credentials to access the hearing. Judge Carroll will "host" the videoconference. When you sign on, you be placed in a waiting room. The Court will admit you at the beginning of the hearing. Please name your video feed with your first and last name.

Expectations for All Participants Attending Zoom Hearings

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Court Reporters and Digital Court Recording

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No Recording Proceedings

By court rule and court order, you are not authorized to make your own audio or visual recording of a court proceeding. No one may take “screenshots” or other audio or visual depictions of a court proceeding. Recording a court proceeding is strictly prohibited unless approved by the Judge. If you violate these rules, you may be held in contempt of court. Members of the media must comply with rule 2.450 and administrative order 2020-23.2 regarding media coverage. Please contact the Court’s Public Information Officer for further information.

Late entry or Technical Difficulties

If you are not logged in when the hearing begins, the judge may not interrupt the proceedings to admit you to the hearing. If you have trouble logging in, and you wish to participate in the hearing, contact the Court’s judicial assistant immediately at (941) 861-7946.

ADA Notice

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Sarasota County Jury Office, P.O. Box 3079, Sarasota, Florida 34230-3079, (941) 861-8000, at least seven (7) days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than seven (7) days; if you are hearing or voice impaired, call 711.

Interpreters

The Twelfth Judicial Circuit provides spoken language court interpreters to limited-English-proficient persons in accordance with Title VI of the Civil Rights Act of 1964, section 90.606, Florida Statutes, and Rule 2.560, Florida Rules of Judicial Administration. If you require the assistance of an interpreter, please submit your request to: <https://www.jud12.flcourts.org/Programs/Court-Interpreters/Interpreter-Request> or please call 941-749-3659. Please submit your request as early as possible, requests made with less than 5 business days’ notice may not be accommodated.

El Duodécimo Circuito Judicial provee intérpretes judiciales de la lengua hablada a personas con dominio limitado del inglés de acuerdo con el Título VI de la Ley de Derechos Civiles de 1964, la sección 90.606, los Estatutos de la Florida y la Regla 2.560 de las Reglas de Administración Judicial de la Florida. Si requiere la ayuda de un intérprete, por favor envíe su solicitud a <http://www.jud12.flcourts.org/Home/Public/InterpreterRequestForm.aspx> o llame al 941-749-3659. Por favor, envíe su solicitud lo antes posible, las solicitudes hechas con menos de 5 días hábiles no pueden ser garantizadas.

DONE AND ORDERED in Sarasota, Sarasota County, Florida, on March 03, 2025.

HUNTER W CARROLL
Circuit Judge

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IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT IN AND FOR SARASOTA COUNTY, FLORIDA
 IN THE COUNTY COURT IN AND FOR SARASOTA COUNTY, FLORIDA

COURT APPEARANCE RECORD

DIVISION: DIVISION C CIRCUIT

CASE NUMBER: 2023 CA 004264 NC

PLAINTIFF(S):

MICHAEL T FLYNN

VS. DEFENDANT(S):

JIM STEWARTSON
RICK WILSON
MEIDASTOUCH LLC

COURT EVENT: MOTIONS
JUDGE: HUNTER W CARROLL

DATE: Monday, March 3, 2025
TIME: 09:30 AM

APPEARANCE:

PLAINTIFF

MICHAEL T FLYNN

DID NOT APPEAR APPEARED PRO SE APPEARED WITH ATTORNEY ATTORNEY ONLY
ATTORNEY NAME: Stephen French

DEFENDANT

JIM STEWARTSON

DID NOT APPEAR APPEARED PRO SE APPEARED WITH ATTORNEY ATTORNEY ONLY
ATTORNEY NAME: George Thurion

RICK WILSON

DID NOT APPEAR APPEARED PRO SE APPEARED WITH ATTORNEY ATTORNEY ONLY
ATTORNEY NAME: Leonard Collins

MEIDASTOUCH LLC

DID NOT APPEAR APPEARED PRO SE APPEARED WITH ATTORNEY ATTORNEY ONLY
ATTORNEY NAME: _____

COURT REPORTER: Heather Krup (Lexipol)

PETITIONS / MOTIONS:

PLAINTIFF'S DEFENDANT'S
 PETITION MOTION
DIN# 90 - For attorneys fees and costs

PLAINTIFF'S DEFENDANT'S
 PETITION MOTION
DIN# 131 - For appellate attorneys fees and costs

RULINGS:

GRANTED DENIED CONTINUED
 GRANTED / DENIED IN PART CANCELLED
 TAKEN UNDER ADVISEMENT
 OTHER court to issue order.

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 GRANTED / DENIED IN PART CANCELLED
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 OTHER court to issue order.

SUPPLEMENTAL PAGE ATTACHED

COURT COMMENTS: Atty Jared Roberts also present.
1 hour hearing set for entitlement on 4/8/25 at 10.30
court to issue notice of hearing

KAREN E. RUSHING CLERK OF THE CIRCUIT COURT
BY: [Signature], Deputy Clerk
DATE: March 3, 2025

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Plaintiff,

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RICK WILSON,
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Defendant.

**FIRST AMENDED
ORDER SETTING HEARING
to correct the motion**

YOU ARE NOTIFIED that a Court hearing is scheduled in this case before the Honorable Hunter W. Carroll, as follows:

Date & Time: April 08, 2025 at 10:30 a.m.

Time Reserved: 60 minutes

Matter(s): DIN 51 - Rick Wilson's Motion for Sanctions Pursuant to Fla. Stat. Section 57.105
(NOTE, the Court will only address the issue of entitlement.)

If the Court rules on that motion, the Court will address how to proceed with the entitlement to attorney fees and costs already found to exist under section 768.295(4), Florida Statutes.

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