

IN THE CIRCUIT COURT OF THE  
FOURTH JUDICIAL CIRCUIT IN  
AND FOR DUVAL COUNTY,  
FLORIDA

CASE NO: 16-2010-CA-014280

JUDITH BUGGS,

Plaintiff,

v.

BONDED BUILDERS HOME WARRANTY  
ASSOCIATION; MARONDA HOMES, INC.  
OF FLORIDA; and HILL, BORING,  
DUNN & ASSOCIATES, INC.,

Defendants.

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**MARONDA HOMES, INC. OF FLORIDA'S**  
**MOTION TO STRIKE DEMAND FOR JURY TRIAL**

Defendant, Maronda Homes, Inc. of Florida ("Maronda Homes"), files this Motion to Strike the Plaintiff's Demand for Jury Trial, and as grounds would state:

1. In her Amended Complaint, the Plaintiff demands a jury trial.
2. Such demand for jury trial is not contractually permitted and should be stricken. A jury trial is specifically prohibited by the Purchase Agreement between Plaintiff and Maronda Homes dated September 21, 2005, attached as Exhibit "A" to the Plaintiff's Amended Complaint. Specifically, Paragraph 17(D), referring to resolution of disputes by the parties under the Purchase Agreement provides:

IN NO EVENT SHALL BUYER BE ENTITLED TO A TRIAL BY JURY.

3. Counsel for Maronda Homes has conferred with counsel for the Plaintiff as to whether Plaintiff's counsel would consent to the granting of this motion. As of the date this motion has been filed, counsel for Plaintiff has not responded one way or the other regarding consent.

WHEREFORE, the Plaintiff's demand for jury trial in her amended complaint should be stricken.

I HEREBY CERTIFY that on February 3, 2014, I electronically filed the foregoing with the Florida Courts E-Filing Portal, which will serve it on all counsel of record via electronic mail.

/s/ Scott J. Johnson  
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