

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

PALM COAST HOLDINGS, INC.
and FLORIDA LANDMARK
COMMUNITIES, LLC

Plaintiffs,

CASE NO: 2025 CA 000670
DIVISION: 49

v.

CITY OF PALM COAST,
a Florida municipal corporation,

Defendant.

_____ /

ORDER DENYING DEFENDANT'S AMENDED MOTION TO DISMISS

THIS CAUSE came to be heard on March 2, 2026, on Defendant City of Palm Coast's Amended Motion to Dismiss Plaintiffs' Amended Complaint (filed January 27, 2026) and Plaintiffs' Response in Opposition to Defendant's Amended Motion to Dismiss (filed on February 26, 2026).

The Court, having considered the motion, response and the argument of counsel is duly advised in the premises.

It is hereby **ORDERED** and **ADJUED** as follows:

1. Defendant City of Palm Coast's Amended Motion to Dismiss Plaintiffs' Amended Complaint is DENIED.
2. Defendant shall serve its Answer no later than March 23, 2026.

DONE AND ORDERED in Chambers at Flagler County, Florida, this
_____ day of March, 2026.

3/4/2026 1:51 PM 2025 CA 000670

HON. SANDRA C. UPCHURCH
CIRCUIT COURT JUDGE

e-Signed 3/4/2026 1:51 PM 2025 CA 000670

CERTIFICATE OF SERVICE

I certify that on March __, 2026, I filed the foregoing through the Florida Courts E-Filing Portal system, which will serve a copy via electronic mail to all counsel of record in this matter:

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