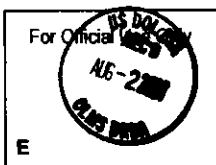


FORM LM-20

AGREEMENT AND ACTIVITIES REPORT



This report is mandatory under P.L. 86-257, as amended. Failure to comply may result in criminal prosecution, fines, or civil penalties as provided by 29 U.S.C. 439 or 440. Required of persons, including Labor Relations Consultants and Other Individuals and Organizations, Under Section 203(b) of the Labor-Management Reporting and Disclosure Act of 1959, as amended. (LMRDA)

READ THE INSTRUCTIONS CAREFULLY BEFORE PREPARING THIS REPORT.

1. File Number: C- 00532

332940

Person Filing

2. Name and mailing address (include ZIP Code):

Name John De Groot

Title

Organization CounterPoint

P.O. Box, Bldg., Room No., if any PO Box 1176

Street

City Glen Ellen

State California

ZIP Code + 4 95442-1176

3. Any other address where records necessary to verify this report are kept:

Name

Title

Organization

P.O. Box, Bldg., Room No., if any

Street

City

State California

ZIP Code + 4

4. Date fiscal year ends:

Dec / 7

5. Type of person:

a. ☐ Individual b. ☐ Partnership c. ☐ Corporation d. ☒ Other (Specify): Sole Proprietorship

Nature of Agreement or Arrangement

6. Full name and address of employer with whom made (include ZIP Code):

Name Ms. Paulee Day, G.C.

Organization MarineMax

Trade Name, if any

P.O. Box, Bldg., Room No., if any

Street 18167 US 19 North

City Clearwater

State Florida

ZIP Code + 4 33764

7. Date entered into:

7 / 1 / 2007

8. Name of person(s) through whom made:

Name Paulee Day

Name

Name

Name

Name

Signatures

Each of the undersigned declares, under penalty of perjury and other applicable penalties of law, that all of the information submitted in this report (including the information contained in any accompanying documents) has been examined by the signatory and is, to the best of the undersigned's knowledge and belief, true, correct, and complete. (See Section VII on penalties in the instructions.)

13. Signed

President
(If other title, see
instructions)

Title Sole Proprietor

14. Signed

Treasurer
(If other title, see
instructions)

Title Treasurer

On July 26 2007 (707) 575-4835

Date

Telephone Number

On _____

Date

Telephone Number

9. Check the appropriate box to indicate whether an object of the activities undertaken, is directly or indirectly:

- a. ☒ To persuade employees to exercise or not to exercise, or persuade employees as to the manner of exercising, the right to organize and bargain collectively through representatives of their own choosing.
- b. ☐ To supply an employer with information concerning the activities of employees or a labor organization in connection with a labor dispute involving such employer, except information for use solely in conjunction with an administrative or arbitral proceeding or a criminal or civil judicial proceeding.

10. Terms and conditions (Explain in detail; see instructions. Written agreements must be attached.):

For a retainer fee of \$6,000, CounterPoint will use its best efforts to assist MarineMax in Somers Point, N.J., to inform employees of their rights under the NLRA, and on the potential consequences of union representation. We intend to donate a portion of the retainer fee to a non-profit organization engaged in the protection of employee rights, on behalf of MarineMax employees, upon project conclusion.

Specific Activities to be Performed

11. For each activity, separately list in detail the information required (See instructions):

a. Nature of activity:

Meet with MarineMax employees at the Somers Point, N.J. site, to discuss union representation and the process for recognition under the NLRA.

11.b. Period during which performed:

June 27 - July 27, 2007

11.c. Extent performed:

Concluded

11.d. Name and address through whom performed:

Name John De Groot

Organization CounterPoint

P.O. Box, Bldg., Room No., if any PO Box 1176

Street

City Glen Ellen

State California ZIP Code + 4 95442-1176

Additional Name and address through whom performed, if any:

Name

Organization

P.O. Box, Bldg., Room No., if any

Street

City

State ZIP Code + 4

12.a. Identify subject groups of employees:

Employees identified in NLRB case 4-RC-21310, at MarineMax, in Somers Point, N.J.

12.b. Identify subject labor organizations:

I.A.M.



CounterPoint

Direct Campaigning Strategists

P.O. Box 1176 Glen Ellen, California 95442

July 1, 2007

Ms. Paulee Day, General Counsel
MarineMax, Inc.
18167 US 19 North
Clearwater, Florida 33764

Dear Paulee:

This will confirm your use of our organization, CounterPoint, for labor relations consulting services. We have agreed to help inform your employees about exercising their rights to choose whether or not they wish to be represented for purposes of collective bargaining.

Since the scope of our services is difficult to ascertain, for a retainer amount of Six Thousand (\$6,000.00) dollars, CounterPoint will use its best efforts in assisting you and your organization in informing employees' of their rights under the NLRA, and on the potential consequences of union representation.

We intend to donate a portion of these retainer fees to a non-profit organization engaged in the protection of employee rights, on behalf of MarineMax employees, upon project conclusion.

We are invoicing the initial retainer amount here at the onset. This assumes an approximately five to six (5-6) week period of assistance.

Sincerely,

John A. De Groot