

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

SUNSET TOWERS CONDOMINIUM  
ASSOCIATION, INC..

Plaintiff,

v.

CASE NO. 2005 CA 7795 NC

MARK GARRISON,

Defendant.

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**PLAINTIFF'S REPLY TO DEFENDANT'S AFFIRMATIVE DEFENSES**

Plaintiff, SUNSET TOWERS CONDOMINIUM ASSOCIATION, INC., hereby replies to Defendant MARK GARRISON's affirmative defenses filed in this action, and states:

1. Defendant's First Affirmative Defense is Denied in its entirety.
2. Defendant's Second Affirmative Defense is Denied in its entirety. Specifically, Plaintiff denies the characterization of the Ulrich letter and denies having received the April 4, 2005 letter attached to the Affirmative Defense as Exhibit B. Plaintiff further denies an obligation to approve or disapprove the "gift" since the transfer was illegal under the terms of Declaration.
3. Defendant's Third Affirmative Defense is Denied in its entirety. Plaintiff specifically denies that the breach was cured since Defendant was never grandfathered in to own Unit 201.
4. Defendant's Fourth Affirmative Defense is Denied in its entirety.
5. Defendant's Fifth Affirmative Defense is Denied as to the characterization of the Association's alleged motivation for passing the Amendment being to discriminate against Defendant.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by facsimile and US Mail Postage Prepaid to Harley Herman, Esq., de Beaubien, Knight, Simmons, Mantzaris & Neal, LLP, 332 North Magnolia Ave, P. O. Box 87, Orlando, Florida 32802-0087, this 14<sup>th</sup> day of December, 2005.

PORGES, HAMLIN, KNOWLES, PROUTY,  
THOMPSON & NAJMY, P.A.

By:   
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