

8/24/12

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA - CIRCUIT DIVISION AJ

CASE NO.: 2011 CA 014622 XXXX AJ

Herbert Mallard  
Plaintiff(s)

vs.

UBS Bank USA, et al,  
Defendant(s).

FILED  
2012 AUG 24 PM 3:53  
JASON R. BOCK, CLERK  
PALM BEACH COUNTY, FL  
CIRCUIT CIVIL 5

ORDER GRANTING/DENYING

THIS CAUSE came before the Court on Defendant UBS Bank USA's  
Motion to Dismiss and Incorporated Memorandum of  
Law

and the Court having heard argument of counsel, and being otherwise fully advised in the premises, it is

ORDERED and ADJUDGED that said motion be, and the same is hereby GRANTED DENIED. W/o Prejudice  
for the reasons cited in Defendant's Motion to Dismiss and  
stated on the record. Plaintiff has twenty (20) days to  
amend the Complaint. If Defendant files another Motion to  
Dismiss, Plaintiff is required to file a response.

DONE AND ORDERED in Chambers at West Palm Beach, Palm Beach County, Florida  
this 24<sup>th</sup> day of August, 20 12

Names and addresses of  
copies furnished to:

[Signature]  
Circuit Judge