

Filing # 154862979 E-Filed 08/08/2022 12:44:36 PM

IN THE CIRCUIT COURT OF FOURTEENTH JUDICIAL CIRCUIT,  
IN AND FOR BAY COUNTY, FLORIDA

LAFORGE PROPERTIES, LLC, an  
Oklahoma limited liability company,

Plaintiff,

vs.

Case No.: 22-270-CA

PIERCE WEALTH PARTNERS  
FUND #1, a Colorado limited  
liability company, STEPHAN EVARD  
PISCANO, a/k/a STEPHAN PIERCE  
PISCANO, FAIR OAKS COMMUNITY  
ASSOCIATION INC., a Florida not for  
profit corporation, and UNKNOWN TENANTS.,

Defendants.

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FINAL JUDGMENT

This action was tried before the court. On the evidence presented

IT IS ADJUDGED that:

**1. Amounts Due.** Plaintiff, LAFORGE PROPERTIES, LLC, an Oklahoma limited liability company, whose mailing address is 2808 S. 4<sup>th</sup> Street, Chickasha, OK 73018, is due the following:

Principal	\$2,270,000.00
Interest to date of this judgement	\$298,624.27
Title Search Expense	\$75.00
Force Placed Insurances	\$126,458.53
Cost and Installation of Replacement Windows	\$16,542.52
Temporary Tarp	\$500.00
Attorney's fees total	\$8,530.00
Court costs, now taxed	\$2,001.69
Service of Process Fees	\$220.00
Subtotal	\$2,722,952.01

LESS: Escrow balance	0.00
LESS: Other	0.00
<b>TOTAL</b>	<b>\$2,722,952.01</b>

That shall bear interest at the statutory rate (currently 4.34% per year).

**2. Lien on Property.** Plaintiff holds a lien for the total sum superior to all claims or estates of defendant(s), on the following described property in Bay County, Florida:

Condominium Units A-1, A-2, B-1, B-2, C-1, D-1 and D-2, FAIR OAKS, a Condominium, together with an undivided interest in the common elements, according to the Declaration of Condominium thereof recorded in Official Record Book 1090, Page 1328, as amended from time to time, of the Public Records of Bay County, Florida.

**3. Sale of Property.** If the total sum with interest at the rate described in paragraph 1 and all costs accrued subsequent to this judgment are not paid, the clerk of this court shall sell the property at public sale on **September 22, 2022**, to the highest bidder for cash, except as prescribed in paragraph 4, at the courthouse located at 300 E. 4<sup>th</sup> Street, Panama City, Florida, 32401, in Bay County, Florida, in accordance with section 45.031, Florida Statutes (2013), using the following method (CHECK ONE):

- At the lobby of the Bay County Courthouse, beginning 11:00 am. Central Time.
- By electronic sale beginning at 11:00 a.m., Central Time, on the prescribed date at [www.bay.realforeclose.com](http://www.bay.realforeclose.com)

**4. Costs.** Plaintiff shall advance all subsequent costs of this action and shall be reimbursed for them by the clerk if plaintiff is not the purchaser of the property for sale, provided, however, that the purchaser of the property for sale shall be responsible for the documentary stamps payable on the certificate of title. If plaintiff is the purchaser, the clerk shall credit plaintiff's bid with the total sum with interest and costs accruing subsequent to this judgment, or such part of it as is necessary to pay the bid in full.

**5. Distribution of Proceeds.** On filing the certificate of title the clerk shall distribute the proceeds of the sale, so far as they are sufficient, by paying: first, all of plaintiff's costs; second, documentary stamps affixed to the certificate; third, plaintiff's attorneys' fees; fourth, the total sum due to plaintiff, less the items paid, plus interest at the rate prescribed in paragraph 1 from this date to the date of the sale; and by retaining any remaining amount pending further order of this court.

**6. Right of Redemption/Right of Possession.** On filing the certificate of sale, defendant(s) and all persons claiming under or against defendant(s) since the filing of the notice of lis pendens shall be foreclosed of all estate or claim in the property and defendant's right of redemption as prescribed by section 45.0315, Florida Statutes shall be terminated, except as to claims or rights under chapter 718 or chapter 720, Florida Statutes, if any. Upon the filing of the certificate of title, the person named on the certificate of title shall be let into

possession of the property, subject to the rights of a tenant occupying residential premises pursuant to section 83.561, Florida Statutes.

**7. Attorneys' Fees.** The court finds, based upon the affidavits/testimony presented and upon inquiry of counsel for the plaintiff that 23.3 hours of attorney time and 3.0 hours of paralegal time were reasonably expended by plaintiff's counsel and that an hourly rate of \$350.00 for attorneys is appropriate. Plaintiff's counsel represents that the attorneys' fees awarded does not exceed its contract fee with the plaintiff. The court finds that there is/are no reduction or enhancement factors for consideration by the court pursuant to *Florida Patients Compensation Fund v. Rowe*, 472 So. 2d 1145 (Fla. 1985). (If the court has found that there are reduction or enhancement factors to be applied, then such factors must be identified and explained herein).

**8. Jurisdiction Retained.** Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, a writ of possession.

IF THIS PROPERTY IS SOLD AT PUBLIC AUCTION, THERE MAY BE ADDITIONAL MONEY FROM THE SALE AFTER PAYMENT OF PERSONS WHO ARE ENTITLED TO BE PAID FROM THE SALE PROCEEDS PURSUANT TO THE FINAL JUDGMENT.

IF YOU ARE A SUBORDINATE LIENHOLDER CLAIMING A RIGHT TO FUNDS REMAINING AFTER THE SALE, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAN 60 DAYS AFTER THE SALE. IF YOU FAIL TO FILE A CLAIM, YOU WILL NOT BE ENTITLED TO ANY REMAINING FUNDS.

**DONE AND ORDERED** this Monday, August 8, 2022 in Panama City, Bay County, Florida.

03-2022-CA-000270-CA 08/08/2022 11:42:41 AM



William S. Henry, Judge  
03-2022-CA-000270-CA 08/08/2022 11:42:41 AM

Copies provided to:

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