

IN THE CIRCUIT COURT OF THE 15TH
JUDICIAL CIRCUIT IN AND FOR
PALM BEACH COUNTY, FLORIDA

CASE NO.: 502008CA007279XXXXMB AG

DRAWDY BROTHERS
CONSTRUCTION II, INC.

Plaintiff,

v.

FLAGLER LANDING, L.P.

Defendant.

ANSWER TO COUNTERCLAIM

Plaintiff/Counter-Defendant, DRAWDY BROTHER'S CONSTRUCTION II, INC., by and through its undersigned attorneys, files and serves its Answer and Affirmative Defenses to the Counterclaim of FLAGLER LANDING, L.P.:

Answer

1. It admits the allegations contained in paragraphs 1, 2 and 3.

2. It has no knowledge as to the allegations contained in paragraphs 4 and 5 and, accordingly, denies same.

3. It admits the allegations contained in paragraphs 6 and 7.
4. It denies the allegations contained in paragraphs 8 and 9.
5. It denies all allegations that it has not heretofore admitted.

Affirmative Defenses

6. As and for its First Affirmative Defense, Plaintiff/Counter-Defendant would state that in the event there are amounts included in Plaintiff's Claim of Lien which are not found to be

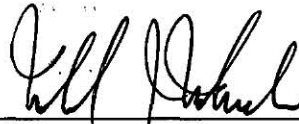
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due Plaintiff, said errors are not due to a willful exaggeration of the amount claimed nor is same due to any gross negligence, but rather is an honest error.

WHEREFORE, Plaintiff/Counter-Defendant requests that this Court deny the Defendant/Counter-Plaintiff's Counterclaim and award to Plaintiff attorney's fees and costs associated with said Counterclaim.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via U.S. Mail to Michael G. Murphy, Esq., *attorney for Defendant*, Greenberg Traurig, P.A., 450 South Ocean Avenue, Suite 650, Orlando, Florida 32801-3311 this 23rd day of May, 2008.



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