

**IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA, IN AND FOR POLK COUNTY  
CIVIL DIVISION**

**RAYMOND PEÑA JR.**, individually and  
on behalf of all similarly situated persons,

Plaintiff,

Case No.: 2020-CA-002588

vs.

**OK TERRALARGO, LLC;  
OK TERRALARGO CLUB, LLC;  
OK JV2 LLC; OK JV2 HOLDINGS  
LLC; KC 9W57TH 2 LLC; KLP  
MANAGEMENT, LLC; ROBERT  
JULIEN, individually, and JAMES  
HARVEY, individually,**

Defendants.

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**ORDER PRELIMINARILY APPROVING CLASS SETTLEMENT**

**THIS CAUSE** came before this Court on April 13th 2026, concerning the Joint Motion for Preliminary Approval of Class Action Settlement filed by Plaintiff, Raymond Pena, Jr., individually and on behalf of all others similarly situated, and as Class Representative on behalf of a proposed Settlement Class, and Defendants, OK Terralargo, LLC; OK Terralargo Club, LLC; OK JV2 LLC; OK JV2 Holdings LLC; KC 9W57th 2 LLC; KLP Management, LLC; Robert Julien, individually; and James Harvey, individually. The Court considered the motion, the proposed settlement as described in Class Action Settlement Term Sheet (“Settlement Agreement”), the Stipulated and Agreed Order on Class Certification entered July 11, 2025, arguments of counsel for

Plaintiff and Defendants, and is otherwise fully advised in the premises. Accordingly, it is ORDERED AND ADJUDGED, as follows:

1. Plaintiff and Defendants (collectively, the “Parties”), all acting by and through their respective counsel, have agreed, subject to Court approval, to settle this Action on the terms and conditions stated in the Settlement Agreement.

2. The Settlement Agreement, attached here, is incorporated by reference in this Order, and all terms defined in the Settlement Agreement will have the same meanings in this Order.

3. This Court has jurisdiction over all Settlement Class Members because a requirement for defining the Class Settlement Members is that they currently own, or previously owned, during the time period of August 19, 2016 through July 15, 2021, a home in TerraLargo and paid a Club Membership Fee under the TerraLargo Club Plan.

4. The Joint Motion for Preliminary Approval of Class Action Settlement is granted, and the Court preliminarily approves the settlement, finding that it is sufficiently fair, reasonable, and adequate to warrant providing notice to the Settlement Class. The Court finds that the class certification prerequisites set forth in Florida Rule of Civil Procedure 1.220 have been met given the Court previously certified the Class pursuant to the Stipulated and Agreed Order on Class Certification dated July 11, 2025.

5. For purposes of determining whether the terms of the Proposed Settlement should be finally approved as fair, reasonable and adequate, the following Settlement

Class is approved as previously certified by the Court's July 11, 2025 Order ("Settlement Class Members"):

All persons who currently own, or previously owned, during the time period of August 19, 2016 through July 15, 2021, a home in TerraLargo and have paid a Club Membership Fee under the Club Plan.

6. Plaintiff has been appointed as the class representative along with his attorneys as class counsel pursuant to the Court's July 11, 2025 Order.

7. The Court continues the appointment of AB Data, Ltd. to perform the obligations of the Settlement Administrator under the settlement.

8. AB Data, Ltd. is directed to mail the approved class settlement notice to all class members and post the notice along with this Order on the class action website located at [www.TerraLargoClassAction.com](http://www.TerraLargoClassAction.com), notifying the class of the proposed settlement with an explanation of the terms of the settlement, along with instructions on how to object to the settlement and the date, time, and location the final fairness hearing.

9. The Court finds that the procedures set forth here constitute reasonable and best practicable notice under the circumstances.

10. Settlement Class Members may object to the proposed settlement. Settlement Class Members who choose to object to the proposed settlement must file written notices of intent to object or intervene, as described below. Any Settlement Class Member who has timely filed an objection in compliance with this Preliminary Approval Order may appear at the Fairness Hearing, in person or by counsel, and be heard to the extent allowed by the Court. The right to object to the proposed settlement must be

exercised individually by an individual Settlement Class Member or his or her attorney or his or her Legally Authorized Representative, and not as a member of a group, class, or subclass.

**11.** To be timely, any objection or motion to intervene must be electronically filed with the Court, and electronically served on all counsel of record, all no later June 8, 2026. Any untimely objection or motion to intervene may not be considered, at the discretion of the Court.

- 12.** To be effective, a notice of intent to object to the proposed settlement must:
- a.** Include the name of the case and case number;
  - b.** Provide the name, address, telephone number, and signature of the Settlement Class Member filing the objection;
  - c.** The address of the property or properties owned in the TerraLargo community;
  - d.** Indicate the specific reasons why the Settlement Class Member objects to the proposed settlement;
  - e.** Contain the name, address, bar number, and telephone number of the objecting Settlement Class Members' counsel, if represented by an attorney. If the Settlement Class Member is represented by an attorney, he or she must comply with all applicable rules of the Court; and
  - f.** State whether the objecting Settlement Class Member intends to appear at the Fairness Hearing, either in person or through counsel.

Failure to comply with these requirements may result in the objection being overruled by the Court.

**13.** The Court will hold a Fairness Hearing to consider the fairness, reasonableness, and adequacy of the proposed settlement on June 18, 2026, 2026 at

3:45PM at the Polk County Courthouse, 255 North Broadway, Bartow, Florida 33830, in Hearing Room 5A-2 (Fifth Floor, Red Elevators) or, in the alternative, via the Court's Zoom platform. During the Fairness Hearing, the Court will consider whether the proposed settlement described in the Settlement Agreement should be approved as fair, reasonable, and adequate, and whether the Court should enter the proposed Final Order and Judgment approving the proposed settlement and dismissing this Action on the merits, with prejudice. The Court will also consider whether to make and the amount of any Service Awards to the Class Representative.

**14.** The proposed settlement shall not be deemed an admission or concession by the Parties as to the truth or accuracy of any of the allegations made in the Action, as to any liability, fault, or wrongdoing of any kind whatsoever, and as to whether the Action should be certified for class treatment regarding any of the allegations concerning the merits of Plaintiff's claims or Defendants' defenses.

**15.** Except for activities performed to comply with this Preliminary Approval Order, the Class Notice, and the Settlement Agreement, the Court stays all other proceedings in this Action until further order.

**ORDERED** in Polk County, Florida on Monday, April 13, 2026.

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Keith Spoto, Circuit Judge  
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