

**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,

Plaintiffs.

vs.

Case No.: 2020-CA-002588

Division: 11

**THE KOLTER GROUP, LLC;
OZRE; OK TERRALARGO LLC,
OK TERRALARGO CLUB, LLC;
OK JV2 LLC; OK JV2 HOLDINGS,
LLC; and, KC 9W57TH 2, LLC,**

Defendants.

_____ /

**ORDER GRANTING PLAINTIFF'S MOTION FOR LEAVE
TO AMEND COMPLAINT AND GRANTING DEFENDANTS' AMENDED
MOTION TO REMOVE THIS CASE FROM THE APRIL 2026 TRIAL CALENDAR**

THIS CAUSE came before the Court for hearing on *Plaintiff's Motion for Leave to Amend Complaint* and *Defendants' Amended Motion to Remove This Case from the April 2026 Trial Calendar*, on Thursday, March 12, 2026. Present were John Marc Tamayo, Daniel Clark, and Harold Holder for the Plaintiff and James C. Valenti and Jeffrey Katz for the Defendants.

The Court, having heard argument of counsel, having reviewed the file, and being otherwise fully advised in the premises finds as follows:

1. Plaintiff's Motion for Leave to Amend Complaint is GRANTED. The Second Amended Class Action Complaint and Demand for Jury Trial, attached to the

Plaintiff's Motion for Leave to Amend Complaint, is deemed filed as of the date of this Order. Existing Defendants shall have twenty (20) days to respond, thereafter, to the Complaint. New defendants shall have twenty (20) days to respond after service.

2. The Defendants' Amended Motion to Remove This Case from the April 2026 Trial Calendar is GRANTED. This case is removed from the April 27, 2026 trial block.
3. All of the parties are to submit a new Case Management Plan within forty-five (45) days of the date of this Order.

DONE AND ORDERED in Bartow, Polk County, Florida on Monday, March 16, 2026.

53-2020-CA-002588-0000-00 03/16/2026 10:32:16 AM



Keith Spoto, Circuit Judge
53-2020-CA-002588-0000-00 03/16/2026 10:32:16 AM

cc: John Marc Tamayo, Esq.
Daniel Clark, Esq.
Harold Holder, Esq.
J. Carter Anderson, Esq.
David Weinstein, Esq.
James C. Valenti, Esq.
Jeffrey Katz, Esq.