

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

PALM BEACH VACATION OWNERS)	
ASSOCIATION, INC., et al.,)	
Plaintiffs,)	
)	
vs.)	CIVIL ACTION NO. 12-00027-KD-B
)	
ESCAPES!, INC., et al.,)	
Defendants.)	

JUDGMENT

In accordance with the Order entered on this date granting the Escapes! Defendants’ Motion to Confirm Arbitration Award (Doc. 115), it is hereby **ORDERED, ADJUDGED** and **DECREED** that the arbitrators’ final “Award of Arbitrators” (Doc. 115-2) is **CONFIRMED** such that **JUDGMENT** is entered as follows, pursuant to Doc. 115-2:

1. Plaintiffs have failed to prove any of their claims against the Escapes Defendants. All of Plaintiffs' claims are hereby **DISMISSED with prejudice**.
2. Amendment 1 to the Declaration of Condominiums of Palm Beach, a Condominium (the "Amended Declaration") and the contracts at issue in the arbitration proceedings are binding and enforceable pursuant to Alabama law.
3. Escapes!, Inc. is not entitled to recover on its claim for overpaid assessment obligations to the VOA and Plaintiffs are not entitled to recover on their claim for unpaid assessments.
4. Escapes! Inc. has not turned over control of the Palm Beach Vacation Owners Association Board ("VOA Board") pursuant to § 21.07(D) of the Amended Declaration.
5. Richard Smith and Deborah Graf were duly removed from the VOA Board on January 10, 2012.
6. Kent Burger and Neff Basore were properly appointed to the VOA Board.
7. The Court will not apportion or award fees and/or expenses of the arbitration in favor of any party against any other party.

8. This a final judgment and this Order is intended to fully and finally resolve all claims and counterclaims submitted in the arbitration, and any claim or counterclaim not expressly granted in the arbitration decision.

DONE and ORDERED this the **10th** day of **July 2014**.

/s/ Kristi K. DuBose

KRISTI K. DuBOSE

UNITED STATES DISTRICT JUDGE