

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION**

THE OASIS OF DESTIN, INC.,  
d/b/a Oasis, a Florida corporation, and  
TRIDENT-OPERATIONS, LLC  
a Florida limited liability company,

Plaintiffs,

v.

CASE NO.: 3:08cv528/MCR/EMT

CITY OF DESTIN, FLORIDA,

Defendant.

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**FINAL CONSENT ORDER**

THE ABOVE case having come before this Court on the parties Joint Motion for Entry of Final Consent Order, and the Court having reviewed the Joint Motion and the parties Settlement Agreement, it is

**ORDERED and ADJUDGED** that:

1. The Settlement Agreement is hereby approved. Both parties, and their successors and assigns are hereby ORDERED to comply with the Settlement Agreement in all respects.

2. This Consent Order shall not be construed as a concession by Defendant that it violated any of Plaintiff constitutional rights or committed any act of wrongdoing, it being acknowledged that Defendant specifically denies any such violations or wrongful acts.

3. Plaintiffs shall be entitled to no relief under their Second Amended Complaint other than the specific relief provided in the parties Settlement Agreement and by this Consent Order, and all other claims asserted by Plaintiffs or which could have been asserted by Plaintiffs are hereby dismissed with prejudice.

4. Each party shall bear its own attorney's fees, expert witness fees, and costs incurred in this proceeding. However, in the event that either party is required to enforce the terms of this Final Consent Order, the prevailing party in any such litigation will be awarded reasonable attorneys fees and costs including prelitigation and appellate fees and costs.

5. This Court reserves jurisdiction for a period of twelve months to enforce the terms of this Final Consent Order. Upon motion filed by any party within that time period, the court may consider extending the period of jurisdiction as appropriate.

6. Plaintiffs' claims are dismissed with prejudice.

7. The Clerk is directed to close the file in this case for administrative purposes, and upon the expiration of twelve months without activity, the Clerk is directed to close the case in its entirety for all purposes.

**DONE AND ORDERED** this 22nd day of March, 2010.

*s/ M. Casey Rodgers*  
**M. CASEY RODGERS**  
**UNITED STATES DISTRICT JUDGE**