

IN THE CIRCUIT COURT OF THE 11TH JUDICIAL CIRCUIT  
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

LAKEVIEW DEVELOPMENT I, LLC,

CIRCUIT CIVIL DIVISION  
CASE NO. 2023-016746-CA-01

Plaintiff,

v.

MICHELL ROXANA CASTELLANOS, *et al.*,

Defendants.

**DEFENDANTS FRANCISCO JAVIER RODRIGUEZ BORGIO AND  
5630 PINE TREE DRIVE, LLC'S NOTICE OF APPEAL**

NOTICE IS GIVEN that Defendants/Appellants Francisco Javier Rodriguez Borgio and 5630 Pine Tree Drive, LLC appeal to the Third District Court of Appeal the Final Judgment of this Court rendered on December 6, 2024, and all rulings, proceedings, orders, findings, and decisions (whether oral or written) subsumed thereby. A conformed copy of the order is attached as Exhibit A. The nature of the order is a final order because it is a Final Judgment entered against Defendants Francisco Javier Rodriguez Borgio and 5630 Pine Tree Drive, LLC.

Dated: December 23, 2024

Respectfully submitted,

*s/ Scott B. Cosgrove*

Scott B. Cosgrove

Florida Bar No. 161365

Brittany L. Finnegan

Florida Bar No. 1032047

**LEÓN COSGROVE JIMÉNEZ LLP**

255 Alhambra Circle - 8th Floor

Miami, FL 33134

Telephone: 305-740-1975

Facsimile: 305-437-8158

Email: [scosgrove@leoncosgrove.com](mailto:scosgrove@leoncosgrove.com)

Email: [bfinnegan@leoncosgrove.com](mailto:bfinnegan@leoncosgrove.com)

Email: [anoonan@leoncosgrove.com](mailto:anoonan@leoncosgrove.com)

*Counsel for Defendants/Appellants Borgio and  
5630 Pine Tree Drive, LLC*

STATE OF FLORIDA, COUNTY OF MIAMI-DADE

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE 12 23 AD 20 24

JUAN FERNANDEZ-BARQUIN, Clerk of the Court and Comptroller, Miami-Dade County

Deputy Clerk



**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on December 23, 2024, the foregoing was electronically filed with the Clerk of the Courts using the Florida Courts E-Filing Portal, which will send a notice of the electronic filing on all counsel of record

s/ Scott B. Cosgrove  
Scott B. Cosgrove

# Exhibit A

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL  
CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

CASE NO: 2023-016746-CA-01

SECTION: CA27

JUDGE: William Thomas

**LAKEVIEW DEVELOPMENT I, LLC**

Plaintiff(s)

vs.

**MICHELL ROXANA CASTELLANOS et al**

Defendant(s)

\_\_\_\_\_ /

**FINAL JUDGMENT**

Pursuant to the Court's findings of fact in this case, including in its Order entering summary judgment in favor of Plaintiff, LAKEVIEW DEVELOPMENT I, LLC, rendered in this action (D.E. 195), which is incorporated by referenced herein,

**IT IS ORDERED AND ADJUDGED as follows:**

1. On Counts I, II and III of the First Amended Complaint (D.E. 26, Ex. 1 at pp. 5-31) final judgment is hereby entered in favor of Plaintiff, LAKEVIEW DEVELOPMENT I, LLC, 6365 Collins Avenue, Unit 1007, Miami Beach, FL, 33141, and against Defendants, MICHELL ROXANA CASTELLANOS 1000 Brickell Plaza, Unit 4506, Miami, FL, 33131 (as to Count I), FRANCISCO JAVIER RODRIGUEZ BORGIO, 1201 Venetian Way, Miami Beach, FL, 33139 (as to Count II), and 5630 PINE TREE DRIVE LLC, 92 SW 3<sup>rd</sup> Street, #CU6, Miami, FL, 33130 (as to Count III), jointly and severally, in the total amount of \$814,021.40, comprised of liquidated damages in the amount of \$700,000.00 representing the amount of the Escrow Deposit, plus prejudgment interest in the amount of \$114,021.40, from the date of breach of the subject contract through December 5, 2024, that shall bear post-judgment interest pursuant to Fla. Stat. § 55.30, ALL FOR WHICH LET EXECUTION

ISSUE.

2. On Count I of the Counterclaim for Breach of Contract (D.E. 43 at ¶¶ 22-27), final judgment is hereby entered in favor of Counterclaim Defendant, LAKEVIEW DEVELOPMENT I, LLC, 6365 Collins Avenue, Unit 1007, Miami Beach, FL, 33141 and against Counterclaim Plaintiff, 5630 PINE TREE DRIVE LLC, 92 SW 3<sup>rd</sup> Street #CU6, Miami, FL, 33130. Thus, Counterclaim Plaintiff, 5630 PINE TREE DRIVE LLC, 92 SW 3<sup>rd</sup> Street, #CU6, Miami, FL, 33130 shall take nothing by this action and go hence without day.
3. Accordingly, the Court hereby enters final judgment as to all matters concerning Plaintiff, LAKEVIEW DEVELOPMENT I, LLC, 6365 Collins Avenue, Unit 1007, Miami Beach, FL, 33141, raised between (i) Plaintiff/Counterclaim Defendant, LAKEVIEW DEVELOPMENT I, LLC, on the one hand, and (ii) Defendants/Counterclaim Plaintiff, MICHELL ROXANA CASTELLANOS, 1000 Brickell Plaza, Unit 4506, Miami, FL, 33131, FRANCISCO JAVIER RODRIGUEZ BORGIO, 1201 Venetian Way, Miami Beach, FL, 33139, and 5630 PINE TREE DRIVE LLC, 92 SW 3<sup>rd</sup> Street, #CU6, Miami, FL, 33130, on the other hand, through the First Amended Complaint filed by LAKEVIEW DEVELOPMENT I, LLC and Counterclaim filed against LAKEVIEW DEVELOPMENT I, LLC by 5630 PINE TREE DRIVE LLC, in this case.
4. The Defendants, MICHELL ROXANA CASTELLANOS, FRANCISCO JAVIER RODRIGUEZ BORGIO, and 5630 PINE TREE DRIVE, LLC, **SHALL** complete Florida Rule of Civil Procedure Form 1.977(b) Fact Information Sheet within 45 days from the date of this Judgment, unless the final judgment is satisfied or post-judgment discovery is stayed.
5. This Court reserves jurisdiction to award reasonable attorneys' fees and costs, and to enter any Orders reasonably necessary to enforce this Final Judgment including but not limited to awarding post-judgment interest, costs, attorneys' fees, and any other relief as this Court deems just and proper.

**DONE** and **ORDERED** in Chambers at Miami-Dade County, Florida on this 6th day of December, 2024.

~~2023-016746-CA-01 12-06-2024 3:23 PM~~

2023-016746-CA-01 12-06-2024 3:23 PM

Hon. William Thomas

**CIRCUIT COURT JUDGE**

Electronically Signed

Final Order as to All Parties SRS #: 12 (Other)

THE COURT DISMISSES THIS CASE AGAINST ANY PARTY NOT LISTED IN THIS FINAL ORDER OR PREVIOUS ORDER(S). THIS CASE IS CLOSED AS TO ALL PARTIES.

**Electronically Served:**

Benjamin Henry Brodsky, bbrodsky@bfwlegal.com  
Benjamin Henry Brodsky, docketing@bfwlegal.com  
Brittany L Finnegan, bfinnegan@leoncosgrove.com  
Brittany L Finnegan, anoonan@leoncosgrove.com  
Brittany L. Finnegan, bfinnegan@leoncosgrove.com  
Brittany L. Finnegan, vcerra@leoncosgrove.com  
Daniel S Smith, daniel@salomonsmith.com  
Daniel S Smith, filings@salomonsmith.com  
Jennifer L James, jjames@algpl.com  
Jennifer L James, jerry@algpl.com  
Jennifer L James, filings@algpl.com  
John M Quaranta, john.quaranta@quaranta.law  
John M Quaranta, Barbara.menahem@quaranta.law  
Joshua Truppman, joshua@bfwlegal.com  
Joshua Truppman, docketing@bfwlegal.com  
Michael I Rose, mirose@mirlegal.com  
Michael I Rose, mmas@mirlegal.com  
Michell Roxana Castellanos, michellroxanac@gmail.com  
Olga De Los Santos, olga@fortuneintlgroup.com  
Richard Diaz Esq., rick@rjdpa.com  
Richard Diaz Esq., liz@rjdpa.com  
Richard Diaz Esq., janine@rjdpa.com  
Robert Salvatore Visca, robert@bfwlegal.com  
Robert Salvatore Visca, docketing@bfwlegal.com  
Scott B. Cosgrove, scosgrove@leoncosgrove.com

Scott B. Cosgrove, [anoonan@leoncosgrove.com](mailto:anoonan@leoncosgrove.com)  
Scott B. Cosgrove, [dzulueta@leoncosgrove.com](mailto:dzulueta@leoncosgrove.com)  
docketing, [docketing@bfwlegal.com](mailto:docketing@bfwlegal.com)

**Physically Served:**