

**IN THE DISTRICT COURT OF APPEAL OF THE STATE OF  
FLORIDA, FIRST DISTRICT**

**CASE No. 1D21-3532  
L.T. No. 2018-CA-000547**

**In re: Affirming Existence of Recreational  
Customary Use on 1,194 Private  
Properties Located in Walton County,  
Florida**

RECEIVED, 02/09/2022 04:44:24 PM, Clerk, First District Court of Appeal

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**NOTICE OF JOINDER IN APPELLEE/CROSS-APPELLANTS’  
RESPONSE TO COURT’S ORDER TO SHOW CAUSE AND OPPOSITION  
TO APPELLANT/CROSS-APPELLEE WALTON COUNTY’S MOTION  
TO DISMISS CROSS-APPEALS**

Appellee/Cross-Appellants identified on the list attached as Exhibit “A”, by and through the undersigned counsel, hereby join in Appellee/Cross-Appellants’ Response to Court’s Order to Show Cause and Opposition to Appellant/Cross-Appellee, Walton County’s Motion to Dismiss Cross- Appeals filed on February 7, 2022, by the office of Smolker Mathews, LLP bearing Filing #143439217 (“Response”). Similar to those parties represented by Smolker Mathews, LLP, Appellee/Cross-Appellants filed a Notice of Joinder (“Joinder”) in N. Henry Davis’ Motion for Summary Judgment as to Count I of the Corrected Amended Complaint and as to Count IV of his Counterclaims. A copy of the Joinder is attached hereto as Exhibit “B.” Appellee/Cross-Appellants are similarly situated to those parties represented by Smolker Mathews, LLP and therefore joins in and adopts by reference all arguments and positions set forth in the Response.

Respectfully submitted this 9<sup>th</sup> day of February, 2022.

**MATTHEWS & JONES, LLP**

/s/ C. Stephen Tatum, Esq.

DANA C. MATTHEWS

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that the foregoing pleading has been furnished by electronic mail via the Florida e-Portal system's transmission of the Notice of Electronic Filing on this 9<sup>th</sup> day of February 2022, to all parties on the service list in the Florida E-Portal for this instant action.

/s/ C. Stephen Tatum, Esq.

C. Stephen Tatum

## EXHIBIT A

Name	Parcel ID #
Alan R. Gibson	30-2S-21-42310-000-0030
Amy A. Methvin	08-3S-19-25040-00A-230
Andrea D. Rockefeller	03-3S-20-34720-000-0310
Blue Mountain Retreat, LLC	12-3S-20-34040-012-0030
CASTILLA REVOCABLE TRUST	34-2S-21-42210-000-0210
Charles D. Johnson and Jama L. Johnson	03-3S-20-34000-024-0000
Charles Wagner	02-3S-20-34200-000-0070
David Wilkins and Tanya Wilkins	33-2S-21-42170-017-0120
Dell P. Spivey and Teresa J. Spivey	34-2S-21-42080-009-0150
Derek and Sarah Ladgenski	36-3S-18-16100-000-2502
DPIP 1861, LLC	32-2S-21-42030-000-00J0
Dune I Homeowners' Association, Inc.	04-3S-20-34090-AAA-AAAA
Dune Maus House, LLP	34-2S-21-42080-007-0290
8028 Escape, LLC	28-3S-18-16000-011-0000
Florida Bells, LLC	19-3S-18-16210-000-0010
George H. Collins	02-3S-20-34160-0000-0692
Gulf Pines Associates, Inc.	34-2S-21-42060-000-0010
Investment Partners IV, LLC	28-3S-18-16081-000-0010
J. David Walker, Trustee of the Elton B. Stephens, Jr., 2012 Child's Trust	28-3S-18-16160-000-0130
James R. Holden	34-2S-21-42080-009-0120
Jeffrey Hood and Brenda Hood	34-2S-21-42080-009-0100
John Drillot, Trustee of John A. Drillot Irrevocable Trust	28-3S-18-16081-000-0020
Joseph W. Henderson, Trustee of the Joan C. Henderson Irrevocable Trust	04-3S-20-34050-001-0040
Journey's End Condominium Association	04-3S-20-34180-000-00A0
Hot Sands, LTD	34-2S-21-42080-009-0090
Kenneth R. Goulet	04-3S-20-34010-00F-0021
Linda W. New, as Trustee of The Revocable Trust Agreement of Linda W. New	24-3S-19-25000-008-025 and 24-3S-19-25000-026-000

Linken Real Estate, LP	36-3S-18-16100-000-1842
Lloyd Investment Company, Inc.	27-3S-18-16000-016-0010
Mark J. Styslinger and Jennifer S. Styslinger	34-2S-21-42080-009-0130
Myron Palmer and Teresa Palmer	28-3S-18-16160-000-0080
Nancy G. Wagner	02-3S-20-34200-000-0070
Nancy O'Connor	08-3S-19-25020-00A-0120
PATCO Energy, LTD	19-3S-18-16090-000-0011
Petta Family Properties, LLC	03-3S-20-34000-022-0190
Ralph Alexander and Mary K Alexander	34-2S-21-42080-009-0140
Ruth, LLC	36-3S-18-16100-000-2342
Sandestin Holdings, LLC	34-2S-21-42000-001-0080
Sandestin Investments, LLC	34-2S-21-42600-000-00A0
Seagrove Beach Investment Property, LLC	24-3S-19-25400-000-0020
Seascape Resorts, Inc.	29-2S-21-42500-000-0000
Shamus, LLC	34-2S-21-42080-007-0280
The Villas At Santa Rosa Beach Owners Association, Inc.	03-3S-20-34600-AAA-AAAA
Toscana 41, LLC	04-3S-20-34221-000-0120
Townes Owners' Association, Inc.	34-2S-21-42081-AAA-AAAA
Valentina T. Aldrete, Trustee of the Valentina Aldrete Revocable Trust	12-3S-20-34040-013-0030
Walker Property Investments, LLC	33-2S-21-42170-017-0040
WG Development LLC	36-3S-18-16100-000-2341

**EXHIBIT B**

**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT  
IN AND FOR WALTON COUNTY, FLORIDA**

**In re: Affirming Existence of Recreational  
Customary Use on 1,194 Private  
Properties Located in Walton County,  
Florida**

**Case No.: 2018-CA-000547**

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**PARTY DEFENDANTS' NOTICE OF JOINDER**

COME NOW, the Party Defendants' identified on the list attached as Exhibit "A" (hereinafter "DEFENDANTS"), by and through their undersigned counsel, hereby join and adopt by reference the arguments in "N. Henry Davis' Motion for Summary Judgment as to Count I of the Corrected Amended Complaint and as to Count IV of his Counterclaim" (Document No. 2469) filed on May 17, 2021 by D. Kent Safriet, Esq.

DEFENDANTS reserve the right to file additional Motions as they deem appropriate. DEFENDANTS respectfully request this Court grant the Motion and all additional requests for relief raised for the reasons stated therein and grant all other relief deemed proper and just.

DATED this 25<sup>th</sup> day of May, 2021.

**MATTHEWS & JONES, LLP**

*/s/ C. Stephen Tatum, Esq.*

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[aashley@destinlaw.com](mailto:aashley@destinlaw.com)

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the foregoing pleading has been furnished by electronic mail via the Florida e-Portal system's transmission of the Notice of Electronic Filing on this 25th day of May, 2021 to all counsel of record.

/s/ C. Stephen Tatum  
C. Stephen Tatum

EXHIBIT A

Name	Parcel ID #
Alan R. Gibson	30-2S-21-42310-000-0030
Amy A. Methvin	08-3S-19-25040-00A-230
Blue Mountain Retreat, LLC	12-3S-20-34040-012-0030
Bradley A. Burkemper, Lorie R. Burkemper, James B. Dixon and Camille B. Dixon	36-3S-18-16100-000-2502
Carl Grivner, as Trustee of the Carl Grivner Trust dated May 11, 2016	23-3S-19-25100-00A-0070
CASTILLA REVOCABLE TRUST	34-2S-21-42210-000-0210
Charles D. Johnson and Jama L. Johnson	03-3S-20-34000-024-0000
Charles Wagner	02-3S-20-34200-000-0070
David Wilkins and Tanya Wilkins	33-2S-21-42170-017-0120
Dell P. Spivey and Teresa J. Spivey	34-2S-21-42080-009-0150
DPIP 1861, LLC	32-2S-21-42030-000-00J0
Dune Maus House, LLP	34-2S-21-42080-007-0290
8028 Escape, LLC	28-3S-18-16000-011-0000
Florida Bells, LLC	19-3S-18-16210-000-0010
George H. Collins	02-3S-20-34160-0000-0692
Gulf Pines Associates, Inc.	34-2S-21-42060-000-0010
Investment Partners IV, LLC	28-3S-18-16081-000-0010
J. David Walker, Trustee of the Elton B. Stephens, Jr., 2012 Child's Trust	28-3S-18-16160-000-0130
Justin Traddwick McDaniel	28-3S-18-16071-00A-0050
James R. Holden	34-2S-21-42080-009-0120
James S. Morris and Lisa H. Morris	34-2S-21-42080-009-0110
Jasmine Dune Property Owners Association,	23-3S-19-25090-000-0000

Inc.	
Jeffrey Hood and Brenda Hood	34-2S-21-42080-009-0100
John Drillot, Trustee of John A. Drillot Irrevocable Trust	28-3S-18-16081-000-0020
Joseph W. Henderson, Trustee of the Joan C. Henderson Irrevocable Trust	04-3S-20-34050-001-0040
Journey's End Condominium Association	04-3S-20-34180-000-00A0
Hot Sands, LTD	34-2S-21-42080-009-0090
Kenneth J. Shaia	23-3S-19-25090-00A-0080
Kenneth R. Goulet	04-3S-20-34010-00F-0021
Kent H. Wallace and Suzan Jill Wallace, Co- Trustees of the Kent H. Wallace Trust U/A	23-3S-19-25090-00A-0070
Linda W. New, as Trustee of The Revocable Trust Agreement of Linda W. New	24-3S-19-25000-008-025 and 24-3S-19-25000-026-000
Lloyd Investment Company, Inc.	27-3S-18-16000-016-0010
Mark J. Styslinger and Jennifer S. Styslinger	34-2S-21-42080-009-0130
Nancy G. Wagner	02-3S-20-34200-000-0070
Nancy O'Connor	08-3S-19-25020-00A-0120
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Petta Family Properties, LLC	03-3S-20-34000-022-0190
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Seascape Resorts, Inc.	29-2S-21-42500-000-0000
Shamus, LLC	34-2S-21-42080-007-0280
The Villas At Santa Rosa Beach Owners Association, Inc	03-3S-20-34600-AAA-AAAA

Toscana 41, LLC	04-3S-20-34221-000-0120
Townes Owners' Association, Inc.	34-2S-21-42081-AAA-AAAA
Valentina T. Aldrete, Trustee of the Valentina Aldrete Revocable Trust	12-3S-20-34040-013-0030
W. Charles DeLaoch, Jr.	23-3S-19-25090-00A-0100 23-3S-19-25090-00A-0090
Walker Property Investments, LLC	33-2S-21-42170-017-0040
WG Development LLC	36-3S-18-16100-000-2341
William D. Arthur, III	23-3S-19-25090-00A-0060