

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

AMIAMI INVESTMENTS, LLC,

Plaintiff,

vs.

CIRCUIT CIVIL DIVISION

CASE NO. 2017-013319-CA-01

DYC CAPITAL 16 LLC, a Florida
limited liability company, et al.,

Defendants.

**CONSENT FINAL JUDGMENT
AGAINST DEFENDANT, DYC CAPITAL 16 LLC**

THIS CAUSE came before the Court upon consideration of the *Motion for Entry of Final Judgment* by Plaintiff, AMIAMI INVESTMENTS, LLC (“AMIAMI” or “Plaintiff”), filed on November 3, 2017 against Defendant, DYC CAPITAL 16 LLC, a Florida limited liability company (“DYC” or “Defendant”), and DYC’s *Answer and Confession of Judgment*, and the Court, being advised of same and the consent of DYC to this final judgment, holds as follows:

It is hereby ORDERED, ADJUDGED, and DECREED as follows:

1. Plaintiff’s *Motion for Entry of Final Judgment* against Defendant DYC is GRANTED.
2. This Court has subject matter jurisdiction and jurisdiction over the parties.
3. DYC is an administratively dissolved Florida limited liability company registered with Document Number L13000174088, that listed its principal place of business with the Florida Secretary of State as 975 N. MIAMI BEACH BLVD., #234, N. MIAMI BEACH, FL 33162.
4. Plaintiff, AMIAMI INVESTMENTS, LLC, is a Florida limited liability company, FEI/EIN No. 45-3640588, with its principal place of business at 7480 NW 52nd Street, Miami,

FL 33166.

5. Plaintiff is entitled to liquidated damages in the form of recoupment of Plaintiff's capital investment in two entities: Shani Ami, LLC, and Ella Ami, LLC.

6. DYC is in breach of the contract detailing Plaintiff's initial capital investment of \$141,309.33 into Shani Ami, LLC.

7. DYC is in breach of the second contract detailing Plaintiff's initial capital investment of \$86,814.66 into Ella Ami, LLC.

8. The aggregate amount of Plaintiff's capital investments – which DYC failed to refund and thereby breached its agreements – totals **\$228,123.99** (exclusive of Plaintiff's additional entitlement to prejudgment interest).

9. The breach-date was 90 days from the date of Plaintiff's demand for the return of its capital contribution, i.e., 90 days from February 15, 2017.

- a. 90 days from February 15, 2017 is May 16, 2017.
- b. From May 16, 2017, through December 12, 2017, is **210 days**.
- c. The prevailing rate of interest applicable to judgments entered from the date of filing through December 31, 2017, is **5.35%**. § 55.03, Fla. Stat.; *see also* Miami-Dade Clerk of Courts, "Fee Schedule" *available at* http://www.miami-dadeclerk.com/service_fee_schedule.asp.
- d. Under the foregoing, compensatory damages of \$228,123.99 accrue interest at the statutory rate as follows: \$12,204.63 per annum, and \$33.44 per diem.
- e. So, 210 days at \$33.44 amounts to **\$7,022.40** in prejudgment interest through December 12, 2017.

10. Final judgment against DYC is hereby entered in the amount of compensatory, liquidated damages of \$228,123.99, plus prejudgment interest of \$7,022.40 plus \$33.44 per diem interest after November 3, 2017, for a total final judgment of **\$235,146.39** as of Nov. 3, 2017, FOR WHICH LET EXECUTION ISSUE.

11. Plaintiff is entitled to an award of reasonable attorneys' fees and costs, and post-judgment interest at the prevailing rate and the Court reserves jurisdiction to enter a judgment for same upon motion served within 30 days of the filing of this Consent Final Judgment pursuant to Fla. R. Civ. P. 1.525.

12. Pursuant to sections 57.105(7) and 57.115, Florida Statutes, and paragraphs 14(j) in each of the Agreements attached to the Plaintiff's Complaint, the Plaintiff is entitled to, and the Court reserves jurisdiction to award, future reasonable attorney fees and costs for pursuing collection of this Consent Final Judgment.

IT IS FURTHER ORDERED AND ADJUDGED that the judgment debtor, DYC Capital 16 LLC shall complete under oath Florida Rule of Civil Procedure Form 1.977(b) (Fact Information Sheet), including all required attachments, and serve it on the judgment creditor's attorneys within 60 days from the date of this final judgment, unless the final judgment is satisfied or post-judgment discovery is stayed. Jurisdiction of this case is retained to enter further orders that are proper to compel the judgment debtor(s) to complete form 1.977, including all required attachments, and serve it on the judgment creditor's attorneys.

