

**IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT
IN AND FOR SUMTER COUNTY, FLORIDA**

**ROSALIND WEAVER, individually, and as
Class Representative of a Class of all
similarly situated others,**

Case No.: 2013 CA 000268

Plaintiff,

Class Representation

v.

**CITY OF WILDWOOD, FLORIDA, a political
subdivision of the State of Florida,**

Defendant.

_____ /

NOTICE OF PENDENCY OF CLASS ACTION

To All Potential Members of the Following Class: Those who paid the City Police Fees from February 12, 2009 (the "Class").

THIS NOTICE MAY AFFECT YOUR RIGHTS. PLEASE READ IT CAREFULLY.

YOU HAVE NOT BEEN SUED.

Those who paid police user fees from February 12, 2009 to the City of Wildwood have sued alleging that the City of Wildwood levied unlawful taxes in the form of police fees to the City's water utility customers on their water bills (the "Lawsuit").

The Circuit Court of Sumter County (the "Court") has allowed the lawsuit to be a class action on behalf of all those who paid the City police user fees from February 12, 2009.

The Court has not decided whether the City of Wildwood did anything wrong. There is no money available now, and no guarantee there will be. However, your legal rights are affected, and you must decide now whether to remain a member of the Class or opt out of the Class.

Your options are explained in this notice. To opt out, you must act before November 10, 2014.

Unless this case is resolved by settlement or otherwise dismissed, Class Counsel must prove the claims against the City of Wildwood before the Court. If money or benefits are obtained from the City of Wildwood, you will be notified about how to ask for a share of the recovery.

Any questions not answered by this Notice of Pendency of Class Action (the "Notice") should be directed to Class Counsel and not the Court.

WHY THIS NOTICE WAS SENT TO YOU

The City of Wildwood has indicated that you are someone who paid the police user fee from February 12, 2009 and are, therefore, a member of the Class. This notice is being sent to you pursuant to Florida Rule 1.220(d)(2) of Civil Procedure, which requires that, upon the certification of a Class, all members of the Class who can be identified and located be provided with certain information regarding the Lawsuit and their rights.

BACKGROUND OF THE LAWSUIT

Plaintiff, Rosalind Weaver, sued the City of Wildwood. The Plaintiff alleges that the City of Wildwood's enactment of Ordinance 426 (the "Ordinance"), which imposed police user fees on its water utility customers, was an unlawful attempt to levy non-ad valorem taxes in violation of the Florida Constitution. The Plaintiff requests the Court declare the City's retention of the collected police user fees unlawful and order the City of Wildwood to refund all of the police user fees it has collected since February 12, 2009.

No money or benefits are available now because the Court has not yet decided whether the City of Wildwood is required to return the collected fees, and the two sides have not settled the Lawsuit. There is no guarantee that money or benefits will ever be obtained. If they are, you will be notified about how to ask for a share of the recovery.

CLASS CERTIFICATION

The Court ruled that this Lawsuit may be maintained as a class action on behalf of the following Class:

Those who paid the City Police Fees from February 12, 2009 (the "Class Members").

The estimated number of Class Members exceeds 2,800. The Court certified as Class Representative, Rosalind Weaver (the "Class Representative"). The Class Representative seeks relief on behalf of herself and all Class Members. Bowen & Schroth, P.A. is Class Counsel.

RIGHT TO SEPARATE COUNSEL

You have the right to hire your own attorney and unless you retain your own counsel to enter an appearance on your behalf, you will be represented by Class Counsel. If you choose to hire your own attorney, you will have to pay that attorney.

ATTORNEY FEES

As a Class Member, you will not be directly charged by Class Counsel to represent you in this Lawsuit. In the event of a judgment in favor of the Class in this Lawsuit, Class Counsel will apply to the Court for payment of reasonable attorneys' fees and costs which will either be deducted from the funds recovered before net proceeds are distributed to the Class Members or paid directly by the City of Wildwood.

YOUR OPTIONS

The Court has not decided the merits of the Lawsuit. The purpose of this Notice is to advise you of the existence of this Lawsuit and how it may affect your rights. You have to decide whether to stay in the Class or ask to be excluded before the Court enters judgment, and you have to decide this before November 10, 2014. Your options regarding this lawsuit are as follows:

Do Nothing	<p>By doing nothing, you will remain a member of the Class. Your interests will be represented by Class Counsel and you will be bound by the outcome of this Lawsuit. In the event of a favorable judgment, you will share in the recovery. In the event of an unfavorable judgment, you will be precluded from bringing the same or similar claims against the City of Wildwood on your own behalf. You will be entitled to notice of and an opportunity to be heard regarding any proposed settlement or dismissal of this Lawsuit. You will be entitled to share in settlement proceeds obtained on behalf of the Class.</p> <p>If you want to remain a member of the Class, you should NOT sign the "Request for Exclusion From Class" form.</p>
Opt Out	<p>By opting out of the Class, your interests will not be represented by Class Counsel and you will not be bound by the outcome of this Lawsuit unless you seek to intervene in this Lawsuit. In the event of a favorable judgment, you will not share in the recovery. In the event of an unfavorable judgment, you may still assert the same or similar claims you have against the City of Wildwood. You will not be entitled to notice of or an opportunity to be heard regarding any proposed settlement or dismissal of the Lawsuit. You will not be entitled to share in any settlement proceeds obtained on behalf of the Class.</p> <p>If you want to be excluded from the Class, you must complete the enclosed form ("Request for Exclusion From Class") and return it by mail, postmarked no later than November 10, 2014, to:</p> <p style="text-align: center;">Derek A. Schroth Bowen & Schroth, P.A. 600 Jennings Avenue Eustis, Florida 32726</p> <p>If you request exclusion on behalf of any person or entity other than yourself, you must state your legal authority to execute the request on behalf of that other person or entity.</p>

FURTHER COURT PROCEEDINGS

This Lawsuit is not presently set for trial. The City of Wildwood denies the Plaintiffs' allegations and denies that Plaintiffs are entitled to any recovery. You may communicate with Class Counsel if you have any evidence you believe would be helpful to establish the Class claims, and you may be asked by the parties to provide information relevant to the case.

If it becomes necessary to hold a hearing or trial in order to resolve this class action, there is no guarantee that the Plaintiffs will win, or that they will get any money for the Class. You do not need to attend the hearing or trial. Class Counsel will present the case for the Plaintiffs, and the City of Wildwood will present its defenses. You or your own attorney are welcome to attend at your own expense.

ADDITIONAL INFORMATION

If the Plaintiffs obtain any money or benefits as a result of this class action, you will be notified about how to participate in the recovery. We do not know how long this will take.

Any questions you have concerning the matters contained in this Notice should NOT be made to the Court, but should be directed to:

Derek A. Schroth
Bowen & Schroth, P.A.
600 Jennings Avenue
Eustis, Florida 32726
(352) 589-1414

REMINDER AS TO TIME LIMIT

If you wish to be excluded from the Class, you must return a completed "Request for Exclusion From Class" form to Class Counsel by mail **postmarked no later than November 10, 2014**.

Dated: June 25, 2014.

BY ORDER OF THE COURT
FIFTH JUDICIAL CIRCUIT IN AND FOR
SUMTER COUNTY, FLORIDA