

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
Case No. 17-61019-cv-KMW

ARTURO RUBINSTEIN, individually, FAB  
ROCK INVESTMENTS, LLC, a Nevada  
limited liability company, and OCEANSIDE  
MILE LLC, a Florida limited liability  
company,

Plaintiffs,

v.

THE KESHET INTER VIVOS TRUST,  
YORAM YEHUDA, individually,  
SHARONA YEHUDA, individually, KARIN  
YEHUDA, individually, THE MAYO  
GROUP, LLC, a Florida limited liability  
company, MAZLIACH A/K/A "BOOBOO"  
GAMLIEL, individually, EYAL GAMLIEL,  
individually, YORAM ELIYAHU,  
individually, BRIDGE TO THE FUTURE,  
LLC, a Florida limited liability company,  
MIKE SEDAGHATI, individually, ORIT  
MAIMON, individually, STONEGATE  
BANK, a Florida for-profit corporation,  
BNH IV HM TRI LLC, a Florida limited  
liability company, and 1159 HILLSBORO  
MILE LLC, a Florida limited liability  
company,

Defendants.

**FINAL JUDGMENT ON DIRECTED VERDICT AS TO  
PLAINTIFFS' CLAIMS FOR RESCISSION AND QUIET TITLE AND QUIETING TITLE  
IN FAVOR OF BNH IV TRI LLC AND 1159 HILLSBORO MILE LLC**

**THIS MATTER** is before the Court on the Buyers, the Yehudas, and the Minority Members' *ore tenus* motion for directed verdict as to Plaintiffs' claim for rescission made on August 6, 2019. The Court, having heard argument from all Parties on the motion, and having reviewed the entire record, makes the following findings of fact:

1. Plaintiffs Arturo Rubinstein, Fab Rock Investments, LLC, and Oceanside Mile LLC (collectively, "Plaintiffs") brought claims in this action for rescission (Count XII) and quiet title (Count XIII) against Defendants BNH IV HM TRI LLC ("BNH") and 1159 Hillsboro Mile LLC ("1159") (collectively, "Buyers") as to the real property legally described as follows:

**Parcel 1:**

Parcel A of Sea Bonay Beach Resort, according to the Plat thereof, as recorded in Plat Book 140, Page 8 of the Public Records of Broward County, Florida.

**Parcel 2:**

All that part of Government Lot 4, of Section 8, Township 48 South, Range 43 East, lying between a line parallel to and 1235 feet North of, measured at right angles, to the South line of said Section 8, and a line parallel to and 1335 feet North of, measured at right angles, to the South line of said Section 8.

Less the portion thereof described as Sea Bonay Beach Resort in Plat Book 140, Page 8, of the Public Records of Broward County, Florida

Less the road right-of-way for State Road A-1-A.

in the Warranty Deed, recorded at instrument number 114355672, in the Official Records of Broward County, Florida ("Property").

2. Buyers brought a counterclaim against Plaintiffs and a cross claim against all other Defendants (Count III) seeking to quiet title to the Property in the name of the Buyers.

3. None of the Defendants have opposed Buyers' cross claim to quiet title to the Property in the name of the Buyers.

The Court, having heard argument from all Parties on the motion, and having reviewed the entire record, **ORDERS, ADJUDGES and DECREES** that:

1. The Court has jurisdiction over the parties and this action.

2. For the reasons stated during the Court's ruling in open court on August 6, 2019, and the findings of fact and conclusions of law stated at that time, the Buyers, the Yehudas (Sharona Yehuda, Yoram Yehuda, Karin Yehuda, and the Keshet Inter Vivos Trust), and the Minority Members' (the Mayo Group, LLC, Mazliach a/k/a "BooBoo" Gamliel, Eyal Gamliel, Yoram Eliyahu, Bridge to the Future, LLC, Mike Sedaghati, and Orit Maimon) *ore tenus* motion under Federal Rule of Civil Procedure 52 for a directed verdict on Plaintiffs' rescission claim (Count XII) and Plaintiffs' quiet title claim (Count XIII) against the Buyers, is **GRANTED**;

3. Plaintiffs' notice of lis pendens regarding the Property and recorded at instrument number 114423108 in the Official Records of Broward County, Florida is **DISSOLVED**;

4. Pursuant to the Buyers, Plaintiffs, and the Minority Members' joint stipulation (DE 475), the Buyers' counterclaim and cross claim for quiet title (Count III) is **GRANTED**;

5. Title to the Property is hereby forever quieted and confirmed in Buyers, as tenants in common, with an undivided 79.261% interest to 1159 and an undivided 20.739% interest to BNH;

6. All right, title, and interest of Plaintiffs and all other Defendants and all those claiming by, through, or under any Plaintiff or Defendant other than Buyers in the Property is forever quieted and confirmed in the Buyers;

7. Plaintiffs and all other Defendants, and all those claiming by, through or under any of them, are perpetually enjoined from asserting any right, title, or interest in the Property;

8. Final judgment pursuant to Federal Rule of Civil Procedure 58 is **ENTERED** in favor of the Buyers, the Yehudas, and the Minority Members, and against Plaintiffs, as to Plaintiffs' claim for rescission. Plaintiffs shall take nothing from this claim; and

9. Final judgment pursuant to Federal Rule of Civil Procedure 58 is **ENTERED** in favor of the Buyers, and against Plaintiffs and all other Defendants, as to Plaintiffs' claim for quiet title and Buyers' counterclaim and cross claim for quiet title.

**DONE AND ORDERED** in Chambers in Miami, Florida this 10<sup>th</sup> day of August, 2019.

  
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KATHLEEN M. WILLIAMS  
UNITED STATES DISTRICT JUDGE