

Exhibit

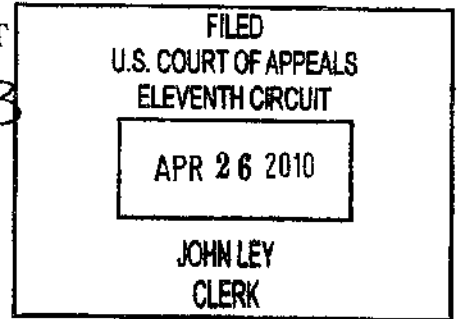
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IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

1:09-cv-1543

No. 09-14735-DD



MAID OF THE MIST CORPORATION,
MAID OF THE MIST STEAMBOAT COMPANY, LTD.,

Plaintiffs-Appellees,

versus

WILLIAM M. WINDSOR,

Defendant-Appellant,

JUDGE ORINDA D. EVANS,

Movant-Appellee.

On Appeal from the United States District Court for the
Northern District of Georgia

FILED IN CLERK'S OFFICE
U.S.D.C. Atlanta

BEFORE: CARNES, BARKETT and HULL, Circuit Judges.

MAY - 7 2010

BY THE COURT:

JAMES N. HATTEN, CLERK
By: *[Signature]*
Deputy Clerk

All pending motions filed by Appellant, including Appellant's motion to vacate and for reconsideration, and any request for relief contained in any other document filed by Appellant are DENIED.

Appellant's response to Appellees Maid of the Mist, et al. ("Maid")'s motion for Eleventh Circuit Rule 27-4 sanctions far exceeds the twenty (20) page limit of

Fed.R.App.P. 27(d)(2). Therefore, we STRIKE Appellant's response and direct the Clerk to return that document unfiled.

Maid's motion for Eleventh Circuit Rule 27-4 sanctions for Appellant's filing of frivolous motions is DENIED in light of the Rule 38 sanctions that we award below. However, we note that this Order does not preclude the grant of another Rule 27-4 motion filed in any of Appellant's other appeals or petitions pending with this Court.

In compliance with the direction in our February 25, 2010, Order dismissing this appeal as frivolous as briefed and granting Rule 38 sanctions to Maid, Maid has filed a statement of its costs and expenses (including attorneys' fees). Maid seeks an award of Rule 38 sanctions in the amount of \$37,401.17.

We have reviewed the declaration of Maid's counsel, the records attached thereto, and Appellant's over-long response, which fails to meaningfully challenge the amounts sought by Maid.

We note that the first of Maid's billing entries is for work performed before the notice of appeal for this case was filed in the District Court. Consequently, we discount that entry for \$67.50 in our determination of the amount to be awarded.

We GRANT Maid's application for Rule 38 sanctions in the form of attorneys' fees and single costs in the amount of \$37,333.67.

As a final matter, we DIRECT the Clerk to accept no further filings from Appellant in this closed appeal.