

**Declaration of Barbara Vanderkolk Gardner
in Support of Plaintiffs' Motion for Summary
Judgment**

Exhibit A

SMITH, THOMPSON, SHAW & MANAUSA, P.A.

ATTORNEYS AT LAW

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March 30, 2009

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SHAWN P. COLETT
MARY W. COLÓN

*ALSO ADMITTED IN GEORGIA

Certified U.S. Mail
Return Receipt Request

Barbara Gardner
Collins Interiors, LLC
1211 Gulf of Mexico Drive
PH 907
Longboat Key, FL 34226

Re: DBPR v. Collins Interiors, LLC, Case No. 2007-049577
Barbara Gardner

Dear Ms. Gardner:

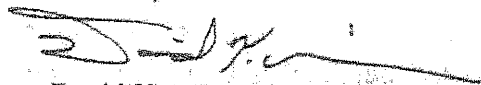
This letter is to inform you that the Board of Architecture and Interior Design has contracted with the law firm of Smith, Thompson, Shaw & Manausa, P.A. to provide disciplinary services. The Board found probable cause that you have violated Section 481.223(1)(c), Florida Statutes, which prohibits a person from using the title interior designer, or words to that effect unless the person is registered.

This investigation was based upon you offering interior design and commercial design services on your website. Our records indicate that you are not licensed to offer such services in the State of Florida.

At this time, the Board is issuing the enclosed Notice and Order to Cease and Desist. Immediately refrain from offering interior design and commercial design services. Further, change your website to delete all references to such services. You will need to sign the attached affidavit before a notary and return it to the above address. If you fail to return the statement within thirty days, the Board will bring further disciplinary action which will include a fine of \$5,000.00.

If you have questions or concerns regarding the above, please do not hesitate to call (850) 402-1570 or write.

Sincerely,



David K. Minacci
Prosecuting Attorney

DKM:bc
Enclosures (2)

PL000001

AFFIDAVIT

STATE OF _____
COUNTY OF _____

BEFORE ME, the undersigned authority, personally appeared BARBARA GARDNER, 1211 Gulf of Mexico Drive, PH # 907, Longboat Key, FL 34226 upon first being duly sworn, deposes and says:

1. The Affiant acknowledges receipt of the Notice and Order to Cease and Desist in reference to DBPR v. Collins Interiors, LLC, case number 2007-049577.
2. The Affiant will refrain from offering interior design and commercial design services or words to that effect.
3. The Affiant will change her website to delete any references to interior design and commercial design or words to that effect.
4. The Affiant swears under the oath that interior design and commercial design services have not been provided by the Affiant or any of its agents without proper licensure from the Florida Board of Architecture and Interior Design.
5. The Affiant further makes this affidavit on personal knowledge and not on information or belief.

FURTHER AFFIANT SAYETH NOT:

BARBARA GARDNER

STATE OF _____
COUNTY OF _____

Sworn to and subscribed before me this _____ day of _____, 2009
by BARBARA GARDNER. Affiant is personally known to me or provided
_____ as identification.

NOTARY PUBLIC

Print Name: _____

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
BOARD OF ARCHITECTURE AND INTERIOR DESIGN

IN RE: COLLINS INTERIORS, LLC
BARBARA GARDNER

CASE NO. 2007-049577

Subjects.

NOTICE AND ORDER TO CEASE AND DESIST

TO: COLLINS INTERIORS, LLC
BARBARA GARDNER

NOTICE IS HEREBY GIVEN to cease and desist from the practice of unlicensed:

Interior Design (Chapter 481, Part I, Florida Statutes)

Probable Cause exists to believe you have engaged in said unlicensed practice.

Facts supporting this notice and order are:

1. Subjects are not licensed to practice the aforementioned profession.
2. Subjects are not exempt from licensure.
3. Subjects are offering interior and commercial design services on its web site.

Under the above-cited Florida Statutes, only persons or firms licensed by the State of Florida may engage in the above-described activities. You are further notified that under Section 455.228, Florida Statutes, a fine up to \$5,000 may be imposed on any person engaging in the unlicensed practice of a regulated profession.

ORDER

BY THE AUTHORITY vested in this Department in Section 455.228, Florida Statutes, you are hereby ORDERED to immediately CEASE AND DESIST from the above-described unlicensed practice in the State of Florida.

ISSUED this 30th day of March, 2009

Miguel A. Rodriguez, Chairman
Probable Cause Panel/BOARD

3/30/09

Method of Service/Date/Time/Place

By: 