

FILED

July 19, 2024 12:37 PM

ST-2021-CV-00459

TAMARA CHARLES

CLERK OF THE COURT

**IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN**

Blossom Corporation Inc.,)	
Elissa Runyon, Jerry Runyon,)	
A. Michael Milne, Trustee of The A. Michael Milne)	
Revocable Trust, Meredith Fletcher, Marc O’Neil, Anne)	Civil No.: ST-2021-CV-00459
O’Neil, and Allen D. Miller, Trustee of the Allen D. Miller)	
Revocable Trust dated 4/9/2019, derivatively on behalf)	
of Estate Fish Bay Owners Association, Ltd., a)	
non-profit corporation,)	
)	Action for Accounting
Plaintiffs,)	Turnover of Records
)	Breach of Fiduciary Duty
v.)	
)	
Tammy Donnelly, Tina Petitto, James Swan, John Roll,)	
Elizabeth Lowe, Mary Moroney, Lanny Roberts,)	
Alexandra Anns, and Michael Barry, in their capacity as)	
the current Members of the Board of Directors of Estate)	
Fish Bay Owners Association, and Tammy Cummings and)	
Gerald Bechstein, as former Board Members, individually,)	
)	
Defendants,)	
and)	
)	
Estate Fish Bay Owners Association, Ltd.,)	
)	
Nominal Defendant.)	

**ORDER FOR DISMISSAL OF
PLAINTIFF ADAM COOK TRUSTEE OF THE ADAM COOK REVOCABLE TRUST**

THIS MATTER is before the Court on the Notice of Required Dismissal of Plaintiff Adam Cook, filed by the Plaintiffs, on June 20, 2024. Therein, Plaintiffs give the court notice that Adam Cook must be dismissed as a party to this derivative action, pursuant to V.I. R. Civ. P. 23.1(b)(1) and 17(a). The Notice was filed on June 20, 2024. Defendants have not filed any response or objection.

Plaintiffs have provided proof that Plaintiff Adam Cook, as Trustee of the Adam Cook Revocable Trust, conveyed his interest in Parcel No. 110 Estate Fish Bay by Warranty Deed dated March 20, 2024, and recorded at the Office of the Recorder of Deeds, on April 2, 2024, as Doc No. 2024001650. Consequently, Plaintiffs have advised the Court that Mr. Cook no longer has standing to continue to pursue this action as a plaintiff derivatively on behalf of the Estate Fish Bay Owner's Association (EFBOA).

Because this is a derivative action, and because all Plaintiffs are pursuing this action solely on behalf of EFBOA, and not in their individual capacities, Mr. Cook no longer has standing to continue to participate in this case as a Plaintiff and must be dismissed from this action.

Accordingly, it is hereby

ORDERED that Plaintiff Adam Cook, as Trustee of the Adam Cook Revocable Trust, is **DISMISSED** from this action; it is further

ORDERED that the caption of this case is hereby amended to reflect the dismissal of Plaintiff Adam Cook and shall henceforth appear as above; it is further


ORDERED that all other Plaintiffs may continue to pursue this action on behalf of the EFBOA; and it is further

ORDERED that copies of this order shall be directed to counsel of record.

Dated: July 19, 2024

ATTEST:
TAMARA CHARLES
Clerk of the Court

By: 
LATOYA CAMACHO
Court Clerk Supervisor 07 / 24 / 24


Kathleen Mackay
Judge of the Superior Court
of the Virgin Islands