

# Appellate Opinions and Decisions

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### Pending Appellate Cases

*Ya Mon Expeditions, LLC, et al v. YATCO, LLC*, Case No. 25-10140 (11th Cir.)

*CTY Farms v. St. Lucie River Farm, LLC*, Case No. 4D2024-2016

*Craftsman Plastering and Lath, Inc. v. Rath Mor, LLC, et al.*, Case No. 4D2025-0759

*Patrick Maraist, an Individual, and Maraist Law Firm, P.A. v. Palm Beach Florida Hotel and Office Building Limited Partnership, et al.*, Case No. 4D2025-179

*Barry Rosenthal, et al. v. Equus Property Owners Association, Inc.*, Case No. 4D2025-0111

*Zigmund Brach v. Florida Center For Recovery, Inc.*, Case No. 4D2024-2847

*Southern Waste Systems, LLC n/k/a LGL Systems, LLC v. Waste Management Inc. of Florida, Inc.*, Case No. 4D2023-1865

### 2024 Opinions/Decisions

*Bergeron Environmental and Recycling, LLC v. LGL Recycling, LLC*, 398 So.3d 988 (Fla. 4th DCA Oct. 9, 2024)

*Boies Schiller Film Group, LLC v. Impala Partners LLC*, 394 So. 3d 1132 (Fla. 4th DCA Sept. 26, 2024) (PCA)

*YSC Florida, LLC v. Quality Built, LLC*, 391 So. 3d 966 (Fla. 4th DCA Aug. 7, 2024)

*Marshall v. MacWilliam*, 391 So. 3d 446 (Fla. 4th DCA July 17, 2024)

### 2023 Opinions/Decisions

*Maraist v. Coates*, 2023 WL 8643681 (11th Cir. Dec. 14, 2023)

*Simpson v. DRB Capital, LLC*, 374 So. 3d 790 (Fla. 4th DCA 2023)

*Maraist Law Firm, P.A. v. Nantucket Enterprises, Inc.*, 372 So. 3d 268 (Fla. 4th DCA 2023)(PCA)

*Florida Spine and Joint Institute, LLC. v. Stein*, 363 So. 3d 93 (Fla. 4th DCA 2023)(adverse PCA)

*Maraist Law Firm, P.A. v. Palm Beach Florida Hotel and Office Building Limited Partnership*, 364 So. 3d 1039 (Fla. 4th DCA 2023)(PCA)

*Woolems, Inc. v. Catalina Caststone Creations, Inc.*, 358 So. 3d 1265 (Fla. 3d DCA 2023)

## **2022 Opinions/Decisions**

*Hicks v. Frazier*, 336 So. 3d 276 (Fla. 4th DCA 2022)(PCA)

*Fisher v. Palm Beach Florida Hotel and Office Building Limited Partnership*, 333 So. 3d 716 (Fla. 4th DCA 2022)(PCA)

## **2021 Decisions and Earlier**

*Engineered Tax Services, Inc. v. Scarpello Consulting, Inc.*, 958 F.3d 1323 (11th Cir. 2020)

*Piazenko v. Pier Marine Interiors GMBH*, 314 So. 3d 438 (Fla. 3d DCA 2020)

*Urgo Hotels LP v. Resort at Singer Island, Hotel Condominium Association, Inc.*, 267 So. 3d 452 (Fla. 4th DCA 2019)

*Florida Power & Light Company v. McRoberts*, 257 So. 3d 1023 (Fla. 4th DCA 2018)

*FR Tax Group, LLC v. Kassover*, 723 App'x 977 (11th Cir. 2017)

*EmbroidMe.com, Inc. v. Travelers Prop. Cas. Co.*, 845 F.3d 1099, 1105 (11th Cir. 2017)

*Rabil v. Seaside Builders, LLC*, 226 So. 3d 935 (Fla. 4th DCA 2017)

*Southern-Owners Insurance Company v. SCI Towers of Florida, Inc.*, 227 So. 3d 594 (Fla. 4th DCA 2017)

*Bernstein v. Bernstein*, 225 So. 3d 823 (Fla. 4th DCA 2017)

*Palm Beach Florida Hotel v. Nantucket Enterprises, Inc.*, 211 So. 3d 42 (Fla. 4th DCA 2016)

*Acts Retirement-Life Communities Inc. v. Estate of Zimmer*, 206 So. 3d 112 (Fla. 4th DCA 2016)

*Banyon Income Fund, L.P. v. Hutchison & Steffen, LLC*, 2016 WL 4205347 (Fla. 4th DCA Aug. 10, 2016)

*Hiller v. Phoenix Associates of South Florida, Inc.*, 189 So. 3d 272 (Fla. 2d DCA 2016)

*BVS Acquisition Co. v. Brown*, 649 F. Appx 651 (11th Cir. 2016)

*Olesen v. Lowndes, Drosdick, Doster, Kantor & Reed P.A.*, 159 So. 3d 177 (Fla. 5th DCA 2015)

*Pomfret v. Atkinson*, 137 So. 3d 1161 (Fl. 4th DCA 2014)

*Eco-Tradition, LLC v. Pennzoil-Quaker State Co.*, 137 So. 3d 495 (Fla. 4th DCA 2014)

*Harris v. T.C. Brown Inv. Group, Inc.*, 137 So. 3d 461 Fla. 4th DCA 2014)

*BVS Realty Pvt., Ltd. v. Allerd Charles Smith, et al.*, Case No. 4D14-0984 (Fla. 4th DCA)

*Creative Choice Homes XXXIII, Inc. v. Bank of America, N.A.*, 137 So. 3d 144 (Fla. 5th DCA 2014)

*Bobyack v. Larkin*, 134 So. 3d 1095 (Fla. 4th DCA 2014)

*Smith v. Effective Teleservices, Inc.*, Case No. 133 So. 3d 1048 (Fla. 4th DCA 2014)

*Pomfret v. Atkinson*, 131 So. 3d 719 (Fla. 2013)

*Inman v. American Paramount Financial*, 517 F. Appx. 744 (11th Cir. 2013)

*Nguyen v. Biondo*, 508 F. Appx. 932 (11th Cir. 2013)

*Mid-Continent Cas. Co. v. United Rentals, Inc.*, 62 So. 3d 1173 (Fla. 4th DCA 2011)

*Pomfret v. Atkinson*, 53 So. 3d 413 (Fla. 4th DCA 2011)

*Princeton Homes, Inc. v. Virone*, 612 F.3d 1324 (11th Cir. 2010)

*Sheet Metal Workers Local 28 Pension Fund v. Office Depot, Inc.*, 405 F. Appx. 384 (11th Cir. 2010)

*Princeton Homes, Inc. v. Morgan*, 38 So. 3d 207 (Fla. 4th DCA 2010)

*Parisi v. Miranda*, 15 So. 3d 816 (Fla. 4th DCA 2009)

*Conrad v. Young*, 10 So. 3d 1154 (Fla. 4th DCA 2009)

*Lynn v. Martin County Marine Corp.*, 980 So.2d 536 (Fla. 4th DCA 2008)

*United HealthCare of Florida, Inc. v. Brown*, 984 So.2d 583 (Fla. 4th DCA 2007)

*Sheres v. Genender*, 965 So.2d 1268 (Fla. 4th DCA 2007)

*ProSpec, L.L.C. v. Mazzei*, 963 So.2d 938 (Fla. 4th DCA 2007)

*Gunster, Yoakley & Stewart, P.A. v. McAdam*, 965 So.2d 182 (Fla. 4th DCA 2007)

*Kehoe v. Fidelity Federal Bank and Trust*, 421 F.3d 1209 (11th Cir. 2006), *reh'g and reh'g en banc denied*, 165 Fed.Appx. 854 (11th Cir. 2005), *cert. denied*, *Fidelity Federal Bank & Trust v. Kehoe*, 547 U.S. 1051 (2006)(memorandum opinion)

*Graham v. Peter K. Yeskel 1996 Irrevocable Trust*, 928 So.2d 371 (Fla. 4th DCA 2006)

*LeNeve v. Via South Florida, L.L.C.*, 908 So.2d 530 (Fla. 4th DCA 2005)

*Boswell v. Boswell*, 902 So.2d 844 (Fla. 4th DCA 2005)

*Sarkes Tarzian, Inc. v. U.S. Trust Co. of Fla. Sav. Bank*, 397 F.3d 577 (7th Cir. 2005), *reh'g and reh'g en banc denied* (Mar 21, 2005), *cert. denied*, 546 U.S. 928 (2005), on remand, *Sarkes Tarzian, Inc. v. U.S. Trust Co. of Florida Sav. Bank*, 168 F. App'x. 108 (7th Cir. 2006) (unpublished), *cert. denied*, 547 U.S. 1200 (2006)

*Atkins v. Topp Comm, Inc.*, 874 So.2d 626 (Fla. 4th DCA 2004)

*PGA Property Owners Ass'n, Inc. v. Golf Villas II*, 813 So.2d 256 (Fla. 4th DCA 2002)

*Robbat v. Gordon*, 771 So.2d 631 (Fla. 4th DCA 2000)

*Resort of Indian Spring, Inc. v. Indian Spring Country Club, Inc.*, 747 So.2d 974 (Fla. 4th DCA 1999)

## Unreported

*John "The Greek" Painting, Inc. v. RJS Construction Group, Inc.*, 290 So. 3d 491 (Fla. 4th DCA 2020)

*Roberts v. Christie's Great Estates, Inc.*, 246 So. 3d 358 (Fla. 4th DCA 2018)

*Urbanek v. ADSMP Holdings, LLC*, 263 So. 3d 781 (Fla. 4th DCA 2019)

*Sanderson v. Karch*, 257 So. 3d 1091 (Fla. 4th DCA 2018)

*Pickett v. Hummel*, 241 So. 3d 161 (Fla. 4th DCA 2018)

*Roberts v. Christie's Great Estates, Inc.*, 239 So. 3d 690 (Fla. 4th DCA 2018)

*Bernstein v. Bernstein*, 236 So. 3d 1096 (Fla. 4th DCA 2017)

*Dorta v. Riolo*, 229 So. 3d 1241 (Fla. 4th DCA 2017)

*Lawlor v. Old Marsh Partners*, Case Nos. 4D12-2073 and 4D12-3151, 128 So. 3d 811 (Fla. 4th DCA)

*Liberty Natural Products v. Hoffman*, Case No. 4D12-913 (Fla. 4th DCA)

*Lexington Insurance Co. v. Rucks*, Case No. 4D12-3553 (Fla. 4th DCA)

*E.P. Kaufmann & Co. (USA) Inc. v. Kaufmann*, 79 So. 3d 35, 2012 WL 473457 (Fla. 4th DCA 2012)(Unpublished PCA)

*SP Sunvest Development, LLC v. Holiday Village of Sandpiper, Inc.*, 68 So. 3d 248, 2011 WL 2853184 (Fla. 4th DCA 2011)(Unpublished PCA)

*Isbell v. Bohrer*, Case No. 4D12-1199 (Fla. 4th DCA 2012) (petition for writ of certiorari granted in part)

*Wells Fargo Bank, N.A. v. Robert C. Furr*, Case No. 4D12-1806 (Fla. 4th DCA 2012) (petition for writ of certiorari denied)

*Midcoast Credit Corp. v. Griffin*, 25 So. 3d 1244, 2010 WL 292750 (Fla. 4th DCA 2010)(Unpublished PCA)

*MDC Boca, LLC. v. TGC Boca GP, LLC*, 983 So.2d 1160, 2008 WL 2513857 (Fla. 4th DCA 2008)(Unpublished) (PCA)

*Peter K. Yeskel 1996 Irrevocable Trust v. Graham*, Case No. 4D04-4488 (Fla. 4th DCA 2006)(unpublished PCA)

*Ades v. Prudential Insurance Company of America*, 947 So.2d 445, Case No. 4D06-1068 (Fla. 4th DCA 2006) (Table), reh'g denied (Jan. 2007), rev. dismissed, 953 So.2d 519 (Fla. 2007)