

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA

CIVIL APPELLATE DIVISION AY  
CASE NO.: 50-2016-AP-900109-CAXX-MB  
L.T. NO.: 2013SC002665  
(Consolidated w:/ 2016-AP-900110-CAXX-MB)

ALLSTATE PROPERTY & CASUALTY  
INSURANCE COMPANY

Appellant,

v.

DR. STUART B. KROST, M.D., P.A.,

a/a/o Eva Thomas,

Appellee.

AUG 14 2017

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Appeal from the Palm Beach County Court, Judge Paul Damico

For Appellant: Suzanne Youmans Labrit  
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Tampa, FL 33607  
[slabrit@shutts.com](mailto:slabrit@shutts.com)

For Appellee: Mac Phillips  
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[mphillips@phillipstadros.com](mailto:mphillips@phillipstadros.com)

PER CURIAM.

Appellee has filed a confession of error based upon the Florida Supreme Court's decision in *Allstate Insurance Co. v. Orthopedic Specialists*, 212 So. 3d 973 (Fla. 2017). The final judgment is

hereby REVERSED and REMANDED for further proceedings consistent with that decision.

Appellant's Motion for Appellate Attorney's Fees is GRANTED contingent upon the trial court determining that the offer of judgment satisfies all legal requirements. Appellee's Motion for Appellate Attorney's Fees is DENIED.

HAFELE, BRUNSON, and ARTAU, JJ., concur.

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Opinion/Decision filed: AUG 14 2017

Appeal from Palm Beach County Court,  
Judge Paul Damico

Date of Appeal: April 25, 2016

DATE OF PANEL: August 14, 2017

PANEL JUDGES: Hafele, Brunson, and Artau

AFFIRMED/REVERSED/OTHER: REVERSED

PER CURIAM OPINION/DECISION BY: PER CURIAM

CONCURRING:

) DISSENTING:

) CONCURRING SPECIALLY:

) With/Without Opinion

) With/Without Opinion

DATE:

J.

J.

J.

DATE:

J.

J.

J.

DATE:

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