

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-900171-CAXX-MB
L.T. NO.: 2012SC005682

ALLSTATE PROPERTY & CASUALTY
INSURANCE COMPANY

Appellant,

v.

DR. RONALD HUNERBERG, D.C.

a/a/o Marjorie Mendez,

Appellee.

AUG 14 2017

Appeal from the Palm Beach County Court, Judge Nancy Perez

For Appellant: Suzanne Youmans Labrit
4301 W. Boy Scout Blvd, Ste. 300
Tampa, FL 33607
slabrit@shutts.com

For Appellee: Stephen Deitsch
6415 Lake Worth Rd., Ste 305
Lake Worth, FL 33463
service@dwlegalgroup.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.

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

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-900171-CAXX-MB
L.T. NO.: 2012SC005682

ALLSTATE PROPERTY & CASUALTY
INSURANCE COMPANY

Appellant,

v.

DR. RONALD HUNERBERG, D.C.

a/a/o Marjorie Mendez,

Appellee.

Opinion/Decision filed: AUG 14 2017

Appeal from Palm Beach County Court,
Judge Nancy Perez

Date of Appeal: May 16, 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: <u>8/14/17</u>	J.)		J.)		J.)
<u>Caroline M. Brunson</u>)))
)))
DATE: <u>8/14/17</u>	J.)		J.)		J.)
<u>Edward L. Artau</u>)))
)))
DATE: <u>8/14/17</u>	J.)		J.)		J.)