

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-900237-CAXX-MB  
L.T. NO.: 2016SC000343

ALLSTATE FIRE & CASUALTY  
INSURANCE COMPANY

Appellant,

v.

VIRTUAL IMAGING SERVICES, INC.

a/a/o Adel Garcia,

Appellee.

AUG 16 2017

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Appeal from the Palm Beach County Court, Judge Paul Damico

For Appellant: Suzanne Youmans Labrit  
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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.

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Opinion/Decision filed: AUG 16 2017

Appeal from Palm Beach County Court,  
Judge Paul Damico

Date of Appeal: September 19, 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  | ) |
|                        | ) |                      | ) |                       | ) |
| <u>8/14/17</u>         | ) |                      | ) |                       | ) |
| DATE: J.               | ) | J.                   | ) | J.                    | ) |
| <u>Cathleen B.</u>     | ) |                      | ) |                       | ) |
|                        | ) |                      | ) |                       | ) |
| <u>8/14/17</u>         | ) |                      | ) |                       | ) |
| DATE: J.               | ) | J.                   | ) | J.                    | ) |
| <u>Edward L. Artau</u> | ) |                      | ) |                       | ) |
|                        | ) |                      | ) |                       | ) |
| <u>8/14/17</u>         | ) |                      | ) |                       | ) |
| DATE: J.               | ) | J.                   | ) | J.                    | ) |