

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FIFTH DISTRICT

NOT FINAL UNTIL TIME EXPIRES TO  
FILE MOTION FOR REHEARING AND  
DISPOSITION THEREOF IF FILED

FLORIDA INSURANCE GUARANTY  
ASSOCIATION, INC,

Appellant,

v.

Case No. 5D13-4095

WILLIAM SIMMONS AND  
SYLVIA SIMMONS,

Appellees.

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Opinion filed February 13, 2015

Appeal from the Circuit Court  
for Hernando County,  
Richard Tombrink, Jr., Judge.

Hinda Klein, and Diane H. Tutt, of Conroy,  
Simberg, Ganon, Krevans, Abel, Lurvey,  
Morrow, & Schefer, P.A., Hollywood, for  
Appellant.

George A. Vaka, and Nancy A. Lauten, of  
Vaka Law Group, P.L., Tampa, and  
Kenneth C. Thomas, Jr., of Marshall  
Thomas Burnett, Land O'Lakes for  
Appellees.

PER CURIAM.

After de novo review, we reverse the lower court's order. *Fla. Ins. Guar. Ass'n v. De La Fuente*, 40 Fla. L. Weekly D123 (Fla. 2d DCA Jan. 7, 2015); *Fla. Ins. Guar. Ass'n*

*v. Bernard*, 140 So. 3d 1023 (Fla. 1st DCA 2014), *review denied*, No. SC14-1416 (Fla. Dec. 5, 2014). We instruct the trial court to enter an order in favor of Appellant in accordance with the cited authorities. We certify the following question to the Florida Supreme Court as one of great public importance:

Does the 2011 amendment to the definition of “covered claim” in section 631.54(3), Florida Statutes (2011), apply to a sinkhole claim, where the claim was filed with the insurer prior to the date of the amendment, but after the insurer became insolvent, triggering FIGA’s obligation to pay the claim.

REVERSED AND REMANDED.

TORPY, C.J., PLEUS, R. J., Senior Judge and SWANSON, R., Associate Judge, concur.