

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2005

LOUIS A. PISANI,
Appellant,

v.

JAMES R. DUFFIN, JR., as Personal Representative of the Estates of
Amber Fae Duffin and Tyler James Richard Meyer,
Appellee.

Nos. 4D04-673 & 4D04-1198

[September 21, 2005]

ON MOTION FOR CLARIFICATION

PER CURIAM.

Appellant has moved to clarify our reversal for a new trial to limit the trial to liability, pointing out that none of the issues on which we reversed involved damages. Appellee plaintiff's response has not asserted that liability and damages are intertwined, and indeed they are not, and we accordingly grant the motion for clarification and limit the new trial to liability which will include apportionment of fault.

WARNER, KLEIN and TAYLOR, JJ., concur.

* * *

Consolidated appeals and cross-appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Leonard L. Stafford, Judge; L.T. Case No. 02-19599 (05).

Elizabeth K. Russo of the Russo Appellate Law Firm, P.A., Miami, and Green, Ackerman & Frost, P.A., Fort Lauderdale, for appellant.

Searcy, Denney, Scarola, Barnhart & Shipley, P.A., and Philip M. Burlington of Philip M. Burlington, P.A., West Palm Beach, for appellee.