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

SITE2SHOP.COM,

Appellant,

v.

MTM TRADING (PTY) LIMITED,

Appellee.

No. 4D05-926

[December 14, 2005]

PER CURIAM.

Affirmed. See Applegate v. Barnett Bank of Tallahassee, 377 So. 2d 1150, 1152 (Fla. 1979).

GUNTHER, GROSS and HAZOURI, JJ., concur.

* * *

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Leroy H. Moe, Judge; L.T. Case No. 02-15576 CACE13.

Dennis W. Newman and Michael L. Metzner of Patricia Klein, P.A., Boca Raton, for appellant.

Peter J. Yanowitch of Yanowitch Law, P.A., Miami, for appellee.

Not final until disposition of timely filed motion for rehearing.