

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*January Term 2011*

**CORPORACION AERO ANGELES, S.A.,**  
Appellant,

v.

**JAIME GASTON FERNANDEZ & FERNANDEZ AVIATION, LLC,**  
Appellees.

No. 4D09-4997

[June 29, 2011]

***ON MOTION FOR REHEARING***

WARNER, J.

We deny the motion for rehearing, but add the following to our opinion.

Fernandez first contacted Palero by telephone in Mexico inquiring into whether the Falcon 900B was for sale in 1999 several years before Aero Angeles actually placed it on the market. He continued to ask about the plane during the ensuing years. Finally, in 2002, Palero told him that Aero Angeles would be selling the plane. Thus, this case is distinguishable from those cases which found minimum contacts where the non-resident initiated contact with the Florida resident in Florida. See *Banco Inversion, S.A. v. Celtic Fin. Corp., S.A.*, 907 So. 2d 704 (Fla. 4th DCA 2005) (Banco contacted Celtic in Florida to provide services in connection with bond sale, and Celtic performed services in Florida); *Am. Fin. Trading Corp. v. Bauer*, 828 So. 2d 1071 (Fla. 4th DCA 2002) (non-resident who initiated contact with commodities broker in Florida to trade commodities through its offices in Florida and sent payment to Florida was engaged in business activity in the state sufficient to meet minimum contacts).

POLEN and LEVINE, JJ., concur.

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Appeal of a non-final order from the Circuit Court for the Seventeenth

Judicial Circuit, Broward County; Peter M. Weinstein, Judge; L.T. Case No. 06-11651 12.

Ricardo J. Cata and Ronnie Guillen of Wilson, Elser, Moskowitz, Edelman & Dicker LLP, Miami, for appellant.

Joseph S. Shook, Coral Gables, for appellees.