

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING
MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

KATHLEEN TRUXELL, by and through)
NANCY BACHOR, Personal)
Representative,)
)
Appellant,)
)
v.)
)
MANOR CARE-CARROLLWOOD OF)
TAMPA, FL-LLC,)
)
Appellee.)
_____)

Case No. 2D10-5792

Opinion filed April 20, 2012.

Appeal pursuant to Fla. R. App. P. 9.130
from the Circuit Court for Hillsborough
County; Bernard C. Silver, Judge.

Isaac R. Ruiz-Carus of Wilkes & McHugh,
P.A., Tampa, for Appellant.

Matthew J. Conigliaro of Carlton Fields,
P.A., St. Petersburg; and Leah A. Sevi of
Carlton Fields, P.A., Tallahassee, for
Appellee.

CASANUEVA, Judge.

Kathleen Truxell, by and through Nancy Bachor as personal
representative, appeals an order granting Manor Care's motion to compel arbitration.

On the two issues raised in the initial brief, we affirm without comment. However, in

light of the supreme court's recent holdings in Shotts v. OP Winter Haven, Inc., 36 Fla. L. Weekly S665 (Fla. Nov. 23, 2011), and Gessa v. Manor Care of Florida, Inc., 36 Fla. L. Weekly S676 (Fla. Nov. 23, 2011), we remand to the trial court for further consideration.

Affirmed; remanded for further consideration.

SILBERMAN, C.J., and DAVIS, J., Concur.