

# Third District Court of Appeal

State of Florida, January Term, A.D. 2011

Opinion filed June 15, 2011.

Not final until disposition of timely filed motion for rehearing.

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No. 3D11-108

Lower Tribunal No. 05-6570

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**Ami B. Eskanos, et al.,**  
Appellants,

vs.

**Washington Mutual Bank, FA,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Alan R. Schwartz, Judge.

Danny E. Eskanos (Palm Harbor), for appellants.

Akerman Senterfitt, and Kimberly A. Leary and William Heller (Ft. Lauderdale), and Nancy M. Wallace (Tallahassee), for appellee.

Before SHEPHERD, SALTER and EMAS, JJ.

SHEPHERD, J.

ON ORDER TO SHOW CAUSE

On April 25, 2011, this court ordered Appellants, Ami B. Eskanos, Barry B. Eskanos, and Eskanos Enterprises, to show cause why the court should not impose sanctions against them and their counsel pursuant to Florida Rule of Appellate Procedure 9.410 and section 57.105, Florida Statutes (2011). Appellants and their counsel timely filed a joint response.

Upon consideration of the response, and finding the response to be insufficient, this court awards, as a sanction, a reasonable attorney fee to Appellee for the defense of the appeal, to be assessed against Appellants and their counsel, to be paid in equal amounts by Appellants and their counsel, pursuant to section 57.105, Florida Statute (2011) (stating an award of reasonable attorney fees is to be paid to the prevailing party “in equal amounts by the losing party and the losing party’s attorney”). The case is remanded to the trial court for further proceedings in accordance herewith.