

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

JULY TERM 2004

KVAERNER CONSTRUCTION, INC., etc.,

Appellant,

v.

CASE NO. 5D04-74

AMERICAN SAFETY CASUALTY
INSURANCE COMPANY,

Appellee.

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Opinion filed November 2, 2004

Non-Final Appeal from the Circuit Court
for Hernando County,
John W. Booth, Senior, Judge.

Zala L. Forizs, A. Anderson B. Dogali,
and Timothy D. Woodward, of Forizs &
Dogali, P.L., Tampa, for Appellant.

DeWitte Thompson of Thompson & Slagle, P.C.,
Duluth, GA, for Appellee.

PER CURIAM.

AFFIRMED. See Dept. of Transportation v. Knowles, 402 So. 2d 1155 (Fla. 1981); City of Sanford v. McClelland, 163 So. 513 (Fla. 1935).

SAWAYA, C.J., SHARP, W., and PETERSON, JJ., concur.