

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

JULY TERM 2006

PHENION DEVELOPMENT GROUP, INC.,  
ET AL.,

Appellant,

v.

Case No. 5D06-1711

WILLARD PALMER AND GENE GRIMES,

Appellees.

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Opinion filed October 10, 2006

Non Final Appeal from the Circuit  
Court for Brevard County,  
John D. Moxley, Jr., Judge.

Charles D. Franken, of Charles D.  
Franken, P.A., Plantation, for Appellant.

David G. Larkin and Jesse L. Kabaservice,  
of Fallace & Larkin, L.C., Melbourne, for  
Appellee.

PER CURIAM.

AFFIRMED. See Phenion Dev. Group, Inc. v. Love, Case No. 5D06-1710 (Fla.  
Sept. 29, 2006).

THOMPSON, PALMER and LAWSON, JJ., concur.