

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

JANUARY TERM 2008

ARCH SPECIALTY INSURANCE COMPANY,

Appellant/Cross-Appellee,

v.

Case No. 5D06-4070;
5D07-36

RIVIERA ASSISTED LIVING, LLC,

Appellee/Cross-Appellant.

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Opinion filed May 16, 2008

Appeal from the Circuit Court
for Volusia County,
Randell H. Rowe, III, Judge.

Anthony J. Russo, William R. Lewis and
John V. Garaffa, of Butler Pappas
Weihmuller Katz Craig LLP, Tampa, for
Appellant/Cross-Appellee.

Usher L. Brown and Erin J. O'Leary, of
Brown, Garganese, Weiss & D'Agresta,
P.A., Orlando, for Appellee/Cross-Appellant.

PER CURIAM.

The appellant, Arch Specialty Insurance Co., appeals from a judgment based on a jury verdict in favor of the appellee, Riviera Assisted Living, LLC. Although Arch raises a number of issues on appeal, we find all but one to be without merit. We conclude that Arch is correct with respect to the issue governing prejudgment interest. Based on the specific language of the contract that forms the basis of this case, interest

did not accrue on the debt previous to its liquidation by the jury verdict. Accordingly, the trial court erred in running interest from a date prior to the verdict, and in this respect we reverse and remand for correction of the judgment. In all other respects, the judgment is affirmed.

AFFIRMED in part, REVERSED in part, and REMANDED.

PLEUS, MONACO and EVANDER, JJ., concur.