

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

JANUARY TERM 2008

STEVEN APPEGATE AND
SUZANNE APPEGATE, ETC.,

Appellants,

v.

Case No. 5D07-458

CABLE WATER SKI, L.C.,
D/B/A ORLANDO, ETC.,

Appellee.

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Opinion filed February 22, 2008

Appeal from the Circuit Court
for Orange County,
Cynthia Mackinnon, Judge.

Robert E. Bonner of Meier, Bonner,
Muszynski, O'Dell & Harvey, P.A.,
Orlando, for Appellants.

Lindsey C. Brock, III, and Deborah R.
Reid, of Rumrell, Costabel, Warrington &
Brock, LLP, Jacksonville, for Appellee.

ON MOTION FOR CERTIFICATION

PER CURIAM.

We grant the Motion for Certification but restate the question as follows:

**WHETHER A CONTRACT CONTAINING AN EXCULPATORY CLAUSE,
SIGNED BY A PARENT ON BEHALF OF HER CHILD, IN FAVOR OF A
COMMERCIAL ENTERPRISE, IS ENFORCEABLE TO DEFEAT THE CHILD'S
ACTION TO RECOVER FOR PERSONAL INJURIES SUSTAINED BY THE
CHILD AS A RESULT OF THE ENTERPRISE'S NEGLIGENCE.**

We certify that this is a question of great public importance.

SAWAYA, TORPY and EVANDER, JJ., concur.