

IN THE DISTRICT COURT OF APPEAL  
FIRST DISTRICT, STATE OF FLORIDA

NOT FINAL UNTIL TIME EXPIRES TO  
FILE MOTION FOR REHEARING AND  
DISPOSITION THEREOF IF FILED

FLORIDA DEPARTMENT OF  
INSURANCE, as RECEIVER of  
UNISOURCE INSURANCE  
COMPANY,

CASE NO. 1D02-3699

Appellant,

v.

VARIOUS SHAREHOLDERS,  
CHARLES STEINER, and RALPH  
MADIO,

Appellees.

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Opinion filed October 24, 2003.

An appeal from Circuit Court for Leon County.  
P. Kevin Davey, Judge.

Laudelina McDonald of Florida Department of Insurance, Tallahassee, and Helen Ann Hauser of Dittmar & Hauser, P.A., Coconut Grove, for Appellant.

Kenneth W. Sukhia of Fowler White Boggs Banker, P.A., Tallahassee, for Appellees.

PER CURIAM.

The receiver challenges the portion of the final order by which the trial court denied its motion for an award of attorney's fees pursuant to section 631.154(6),

Florida Statutes. In accordance with the plain language of this provision, once the receiver successfully established its claim to the funds at issue below, the trial court was without discretion to deny the receiver an award of reasonable attorney's fees. The portion of the order by which such fees were denied is accordingly reversed and this case is remanded to the trial court for an award of attorney's fees.

ERVIN, ALLEN and LEWIS, JJ., CONCUR.