

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

CHUBB GROUP INSURANCE
COMPANY and
DIALAMERICA, INC.,

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

Appellants,

CASE NO. 1D04-2464

v.

MAJOR D. EASTHAGEN, II,

Appellee.

Opinion filed November 23, 2004.

An appeal from an order of the Judge of Compensation Claims.
William H. Dane, Judge.

Colleen Cleary Ortiz, of Bozeman, Jenkins & Matthews, P.A., Pensacola, for
appellants.

Lisa A. Lovingood, Jacksonville, for appellee.

WOLF, C.J.

Appellants, the employer and carrier, appeal a non-final order denying the
Motion to Compel Execution of Settlement Documents or Alternatively Motion to

Dismiss Claim with Prejudice.¹ The JCC held that it lacked jurisdiction to determine whether an enforceable settlement agreement was reached. Based on this court's recent opinions reaffirming that it is within the province of the JCC to determine whether a settlement agreement was reached, and if so, to establish its terms, the JCC's order to the contrary is reversed. See Gerow v. Yesterday's, 881 So. 2d 94 (Fla. 1st DCA 2004); Jacobsen v. Ross Stores, 29 Fla. Law Weekly D1933 (Fla. 1st DCA Aug. 24, 2004).

BENTON and VAN NORTWICK, JJ., CONCUR.

¹This court has jurisdiction pursuant to rule 9.180(b)(1)(A), Florida Rules of Appellate Procedure (2004).