

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

SIMON PROPERTY GROUP,
L.P.,

Appellant,

v.

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

CASE NO. 1D05-2069

SOUTHEAST SERVICES
CORPORATION, INC.,

Appellee.

_____ /

Opinion filed November 29, 2005.

An appeal from the Circuit Court for Clay County.
James L. Harrison, Judge.

Paul S. Jones and Todd T. Springer of Luks, Santaniello, Perez, Petrillo & Gold,
Jacksonville, for Appellant.

Craig Cameron and Nancy A. Davito of Hodges, Coleman, LaPointe & Wright,
P.A., Orlando, for Appellee.

PER CURIAM.

Upon consideration of the appellant's response to the Court's order of July 15,
2005, the appeal is hereby dismissed as duplicative of the appeal in case number 1D05-
2956, without prejudice to the appellants' right to assert similar legal issues in an initial

brief filed in case number 1D05-2956. In light of the dismissal, all pending motions are denied as moot.

ALLEN, VAN NORTWICK, and POLSTON, JJ., CONCUR.