

FIRST DISTRICT COURT OF APPEAL  
STATE OF FLORIDA

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No. 1D21-3600

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RONALD S. HILTON, individually,  
MARYCELI MEDINA, individually,  
and HILTON MEDINA INSURANCE  
AGENCY, INC., a Florida  
corporation,

Appellants,

v.

ALLSTATE INSURANCE COMPANY,  
a foreign corporation, KSRM,  
LLC, d/b/a FAMILY FIRST  
INSURANCE SERVICES, and  
KENNETH MERRELL,  
individually,

Appellees.

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On appeal from the Circuit Court for Duval County.  
Eric C. Roberson, Judge.

November 23, 2022

PER CURIAM.

AFFIRMED. *See Snow v. Ruden, McClosky, Smith, Schuster & Russell, P.A.*, 896 So. 2d 787, 792 (Fla. 2d DCA 2005) (“[T]he duty of good faith performance does not exist until a plaintiff can establish a term of the contract the other party was obligated to

perform and did not.”); *Sunshine Gasoline Distribs., Inc. v. Biscayne Enters., Inc.*, 139 So. 3d 978, 980 n.1 (Fla. 3d DCA 2014).

BILBREY, M.K. THOMAS, and LONG, JJ., concur.

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***Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.***

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Alan D. Henderson of Henderson Law, P.A., Ponte Vedra Beach; Rebecca B. Creed of Creed & Gowdy, P.A., Jacksonville, for Appellants.

Kristen M. Fiore of Akerman LLP, Tallahassee; Sowmya Bharathi and Michael C. Marsh of Akerman LLP, Fort Lauderdale; Octavia Green of Akerman LLP, Atlanta, Georgia for Appellee Allstate Insurance Company.