

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

ALLSTATE FIRE AND CASUALTY INSURANCE COMPANY,
Appellant,

v.

ASSOCIATES IN FAMILY PRACTICE OF BROWARD, L.L.C. a/a/o
STEVEN SMITH,
Appellee.

No. 4D21-1229

[November 17, 2021]

Appeal from the County Court for the Seventeenth Judicial Circuit, Broward County; Kathleen McCarthy, Judge; L.T. Case No. 18-6829 COCE (51).

Daniel E. Nordby of Shutts & Bowen LLP, Tallahassee, and Garrett A. Tozier of Shutts & Bowen LLP, Tampa, for appellant.

John C. Daly and Matthew C. Barber of Daly & Barber, P.A., Plantation, for appellee.

PER CURIAM.

We accept the appellee's confession of error that the issue on appeal here is "identical" to that presented in *Associates in Family Practice of Broward, LLC v. Allstate Fire & Casualty Insurance Company*, 322 So. 3d 1169 (Fla. 4th DCA 2021). Consequently, we reverse the summary judgment in favor of appellee, Associates in Family Practice of Broward, L.L.C. a/a/o Steven Smith, and remand for entry of summary judgment in favor appellant, Allstate Fire & Casualty Insurance Company.

Reversed and remanded.

WARNER, DAMOORGIAN and CIKLIN, JJ., concur.

* * *

Not final until disposition of timely filed motion for rehearing.

