

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*July Term 2005*

**D.O.P. INVESTMENTS, INC.,**  
Appellant,

v.

**OAKLAND HILLS JOINT VENTURE; STEPHEN H. CORN; JIM  
GANNON; and HANOVER DIRECT, INC.,**  
Appellees.

No. 4D04-3289

[October 5, 2005]

PER CURIAM.

We reverse the order awarding fees and costs. The summary judgment upon which the order is predicated was recently reversed, in part, by this court and, as a result, there is no final determination of a prevailing party. We remand for further proceedings.

STONE, GROSS and HAZOURI, JJ., concur.

\* \* \*

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Leroy H. Moe, Judge; L.T. Case No. 01-13960 (13).

O. M. Amir and Ronnie D. Dykes of O. M. Amir & Co., Chartered, Pembroke Pines, for appellant.

John J. Shahady of Adorno & Yoss, P.A., Fort Lauderdale, for Appellees-Oakland Hills Joint Venture, Stephen H. Corn, and Jim Gannon.

***Not final until disposition of timely filed motion for rehearing.***