

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

MILTON HAYES, as Personal Representative of the **ESTATE OF
EARLENE HAYES**,
Appellant,

v.

MARC J. GOLDBERG, M.D.; OPHTHALMOLOGY ASSOCIATES, P.A.;
PAUL A. RODRIGUEZ, M.D.; FLORIDA ATLANTIC ANESTHESIA, INC.;
**EDWARD M. COOPERSMITH, M.D.; COOPERSMITH, SCOTT &
SCHWARTZ, M.D., P.A.; HOLY CROSS HOSPITAL, INC.; OWEN G.
PELLER, M.D. and GOODMAN CARDIOPULMONARY ASSOCIATES,
M.D., P.A.,**
Appellees.

No. 4D05-253

[December 14, 2005]

PER CURIAM.

Affirmed. See *Capo v. Estate of Borges*, 560 So. 2d 254 (Fla. 3d DCA 1990).

STEVENSON, C.J., WARNER and HAZOURI, JJ., concur.

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Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Dorian K. Damoorgian, Judge; L.T. Case No. 04-11717 12.

Thomas D. Lardin, Delray Beach, for appellant.

Burt E. Redlus of Law Offices of Burt E. Redlus, P.A., Miami, for appellees Marc J. Goldberg, M.D. and Ophthalmology Associates, P.A.

Kathryn L. Shanley and William Zei of Peterson Bernard, Fort Lauderdale, for appellees Paul A. Rodriguez, M.D. and Florida Atlantic Anesthesia, Inc.

Michael P. Weisberg of Law Office of Michael P. Weisberg, Miami, for appellees Edward Coopersmith, M.D. and Coopersmith, Scott & Schwartz, M.D., P.A.

Louise H. McMurray and James C. Sawran of McIntosh, Sawran, Peltz & Cartaya, P.A., Miami, for appellee Holy Cross Hospital, Inc.

Marlene S. Reiss of Stephens, Lynn, Klein, Lacava, Hoffman & Puya, P.A., Miami, for appellees Owen G. Peller, M.D. and Goodman Cardiopulmonary Associates, M.D., P.A.

Not final until disposition of timely filed motion for rehearing.