DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA FOURTH DISTRICT July Term 2006

HUBBARD CONSTRUCTION COMPANY, Appellant,

v.

CLAUDETTE SCHOBERG, as Personal Representative of the Estate of RAYMOND SCHOBERG, CLAUDETTE SCHOBERG, SHERRY-ANN SCHOBERG, SHELLON ANDRE SCHOBERG, SHELDON ACKEEL SCHOBERG, POLLYANNA GLASSIANA SCHOBERG, SHERMOND SCHOBERG and SHELDEEN SCHOBERG,

Appellees.

No. 4D06-1226

[October 11, 2006]

PER CURIAM.

Affirmed. Jones v. Martin Electronics, Inc., 932 So. 2d 1100 (Fla. 2006).

POLEN, KLEIN and MAY, JJ., concur.

* * *

Appeal of a non-final order from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Diana Lewis, Judge; L.T. Case No. CL 01-009768 AF.

Geoffrey D. Ringer and Joseph S. Justice of Ringer, Henry, Buckley & Seacord, P.A., Orlando and Betsy E. Gallagher and Michael C. Clarke of Kubicki Draper, Tampa, for appellant.

Carlos A. Bodden of Ellis & Ged, P.A., Boca Raton, Patrick W. Lawlor, Fort Lauderdale, and Steven M. Goldsmith of Steven M. Goldsmith, P.A., Boca Raton, for appellees.

Philip M. Burlington of Burlington & Rockenbach, P.A., West Palm Beach, for Amicus Curiae The Academy of Florida Trial Lawyers.

J. David Gallagher and Michael P. Keenan of Gallagher, Daniel & Keenan, P.A., Tampa, for Amicus Curiae The Florida Defense Lawyers Association.

Not final until disposition of timely filed motion for rehearing.