

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*July Term 2010*

**DONALD H. OSTERHOUT, JR.,**  
Appellant,

v.

**TOWER HILL PREFERRED INSURANCE COMPANY and ELIZABETH  
ORTIZ, AURA ROSA LOPEZ ORTIZ, RUTH MARY ORTIZ f/k/a RUTH  
MARY FLORES,** Individually and as parent and natural guardian of  
**Hyme Garvilla,** a minor child, and **STEPHANIE GARVILLIA a/k/a  
ESTEFANIA GAVIRIA,**  
Appellees.

No. 4D09-1767

[August 11, 2010]

PER CURIAM.

*Affirmed. See Fla. Residential Prop. & Cas. Joint Underwriting Ass'n v. Anthony, 842 So. 2d 951 (Fla. 4th DCA 2003); Philbin ex rel. Edwards v. Am. States Ins. Co., 729 So. 2d 484 (Fla. 4th DCA 1999).*

GROSS, C.J., CIKLIN, J., and KEYSER, JANIS, Associate Judge, concur.

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Appeal from the Circuit Court for the Nineteenth Judicial Circuit, St. Lucie County; Burton C. Conner, Judge; L.T. Case No. 562008CA002621AXXX.

Marjorie Gadarian Graham of Marjorie Gadarian Graham, P.A., Palm Beach Gardens, Michael S. Smith of Lesser Lesser Landy & Smith, West Palm Beach, and R. Michael Crary of Crary, Buchanan, Bowdish, Bovie, Beres, Elder & Williamson, Chartered, Port St. Lucie, for appellant.

Candy L. Messersmith and David B. Shelton of Rumberger, Kirk & Caldwell, P.A., Orlando, for appellee Tower Hill Preferred Insurance Company.

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