

DISTRICT COURT OF APPEAL OF FLORIDA
SECOND DISTRICT

ROBERT C. GUNTHER, JAYNE C. GUNTHER, and HIGHPOINT
TOWER TECHNOLOGY, INC.,

Appellants,

v.

MORGAN, LEWIS & BOCKIUS LLP, a Pennsylvania limited liability
partnership; BDO SEIDMAN, LLP, n/k/a BDO USA LLP, a New
York limited liability partnership; and AIG INTERNATIONAL INC., a
Delaware corporation,

Appellees.

No. 2D21-341

October 21, 2022

Appeal from the Circuit Court for Hillsborough County; Steven Scott
Stephens, Judge.

Adam P. Merrill of Watershed Law LLC, Chicago, Illinois; Scott F.
Hessell of Sterling & Slater, P.C., Chicago, Illinois, and Scott C.
Ilgenfritz of Johnson, Pope, Bokor, Ruppel & Burns, LLP, Tampa,
for Appellants.

Ceci C. Berman of Brannock Humphries & Berman, Tampa; James
P. Fogelman and Shannon Mader of Gibson Dunn & Crutcher, Los
Angeles, California; and Jennifer K. Bracht of Gibson Dunn &
Crutcher, Denver, Colorado, for Appellee Morgan, Lewis & Bockius
LLP.

No appearance for remaining Appellees.

PER CURIAM.

Robert C. Gunther, Jayne C. Gunther, and Highpoint Tower Technology, Inc. (collectively, "Gunther"), appeal the circuit court's dismissal with prejudice of Gunther's claims against Morgan, Lewis & Bockius LLP.

This opinion issues contemporaneously with the opinion in *Logan v. Morgan, Lewis & Bockius, LLP*, case number 2D21-337. While the plaintiffs in the two cases differ, their complaints against Morgan, Lewis & Bockius LLP for allegedly aiding and abetting fraud and breach of fiduciary duty and for civil conspiracy are materially similar. The cases have traveled together in this court, and they were presented contemporaneously at oral argument by the same attorneys. Any factual differences between the cases, while potentially important to the ultimate outcomes of the proceedings below, are inconsequential to this court's review of the orders dismissing the actions.

Therefore, for the reasons stated in this court's opinion in case number 2D21-337, in which we reversed the dismissal of Logan's

claims, we likewise reverse the dismissal of Gunther's claims and remand for further proceedings consistent with the *Logan* opinion.

Reversed and remanded for further proceedings.

NORTHCUTT, CASANUEVA, and ROTHSTEIN-YOUAKIM, JJ.,
Concur.

Opinion subject to revision prior to official publication.