

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING
MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

PATRICIA J. VOSE and STEPHEN D.)
VOSE,)
)
Appellants,)
)
v.)
)
GULFSIDE CONSTRUCTION SERVICES,)
INC., and BRETT MEARES,)
)
Appellees.)
_____)

Case No. 2D09-2580

Opinion filed July 16, 2010.

Appeal from the Circuit Court for
Hillsborough County; Ralph C. Stoddard,
Judge.

William C. Frye and Marie Tomassi of
Trenam, Kemker, Scharf, Barkin, Frye,
O'Neill & Mullis, P.A., Tampa, for Appellants.

Daniel L. Saxe of Saady & Saxe, P.A., Lutz,
for Appellee Gulfside Construction Services,
Inc.

No appearance for Appellee Brett Meares.

MORRIS, Judge.

Patricia and Stephen Vose appeal an amended final judgment awarding
Gulfside Construction Services, Inc., \$44,500 in attorney's fees and costs based on an

earlier prevailing party determination made in the underlying final judgment. Because this court reversed the prevailing party determination in the underlying final judgment and remanded for further proceedings, see Vose v. Gulfside Constr. Servs., Inc., 12 So. 3d 322, 323-24 (Fla. 2d DCA 2009), we also reverse the attorney's fees and costs judgment and remand for further proceedings. See Hickman v. Barclay's Int'l Realty, Inc., 12 So. 3d 327 (Fla. 4th DCA 2009). If the prevailing party determination is altered on remand, the trial court should reconsider the amount of fees awarded. See Bd. of Regents v. Winters, 918 So. 2d 313, 315 (Fla. 2d DCA 2005) (holding that a determination of the reasonable amount of attorney's fees necessarily takes into account the results obtained in the litigation).

Reversed and remanded.

NORTHCUTT and WALLACE, JJ., Concur.