

# Supreme Court of Florida

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No. SC01-472

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**FRANK POER, et al.,**  
Petitioners,

vs.

**CALDER RACE COURSE, INC.,**  
Respondent.

[June 27, 2002]

QUINCE, J.

We initially accepted for review the decision of the Third District Court of Appeal in Poer v. Calder Race Course, Inc., 775 So. 2d 970 (Fla. 3d DCA 2000), based upon express and direct conflict with the decision of Fifth District Court of Appeal in All Pro Sports Camp, Inc. v. Walt Disney Co., 727 So. 2d 363 (Fla. 5th DCA 1998). Upon further consideration, we find that review was improvidently granted. Accordingly, this review proceeding is dismissed.

It is so ordered.

WELLS, C.J., and SHAW, HARDING, ANSTEAD, PARIENTE, and LEWIS, JJ.,  
concur.

NO MOTION FOR REHEARING WILL BE ALLOWED.

Application for Review of the Decision of the District Court of Appeal -  
Direct Conflict

Third District - Case No. 3D00-524

(Dade County)

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