Supreme Court of Florida

SEPTEMBER 18, 2008

CASE NOS.: SC06-1894

Lower Tribunal No.: 2006-CA-881

DR. GREGORY L. STRAND

vs. ESCAMBIA COUNTY, FLORIDA, ETC., ET AL.

Appellant

Appellee

Motion for Rehearing and Clarification filed by Appellee is hereby granted. The opinion dated September 6, 2007, and revised on September 28, 2007, is withdrawn and the revised opinion dated September 18, 2008, is substituted in its place.

WELLS, ANSTEAD, PARIENTE, JJ., and CANTERO, Senior Justice, concur. QUINCE, C.J., and LEWIS, J., dissent. BELL, J., recused.

A True Copy

Test:

Thomas D. Hall

Clerk, Supreme Court

in

Served:

KEVIN CARROLL

TIMOTHY E. DENNIS

STEVEN BRENT SPAIN

ELAINE JOHNSON JAMES RICHARD JACKSON MILLER

PATRICIA D. LOTT

CHRISTINE SENNE

HON. MICHAEL G. ALLEN, JUDGE

LESLIE M. NORWOOD

KERRY ANN SCHULTZ

DAVID A. THERIAQUE

JOHN A. MOLCHAN

RICHARD I. LOTT

EDWARDS ANGELL

MARK-DAVID ADAMS

MAJOR B. HARDING

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SCOTT D. MAKAR
RANDALL W. HANNA
DAVID E. CARDWELL
DAVID GREGORY TUCKER
VIRGINIA SAUNDERS DELEGAL
STEPHEN H. GRIMES

GREGORY T. STEWART ROBERT L. NABORS CHARLES B. UPTON HARRY MORRISON, JR. CRAIG DENNIS FEISER