

# Third District Court of Appeal

State of Florida

Opinion filed July 11, 2018.

Not final until disposition of timely filed motion for rehearing.

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No. 3D17-1543

Lower Tribunal No. 16-32728

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**Joao Batista Franca Sayao,**  
Appellant,

vs.

**Knightsbridge Business Network, Inc.,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Rosa I. Rodriguez, Judge.

Michael J. Lascelle, P.A. and Jeffrey S. Greenhaus, for appellant.

Kravitz & Guerra, and Timothy W. Ross; Roger M. Dunetz, for appellee.

Before SALTER, LOGUE and LUCK, JJ.

PER CURIAM.

Affirmed.

SALTER and LOGUE, JJ., concur.

LUCK, J., dissenting.

I would reverse and remand. See JVN Holdings, Inc. v. Am. Const. & Repairs, LLC, 185 So. 3d 599, 601 (Fla. 3d DCA 2016) (“[R]efusal to allow an amendment is an abuse of the trial court’s discretion unless it clearly appears that allowing the amendment would prejudice the opposing party, the privilege to amend has been abused, or amendment would be futile.” (quotation omitted)).