

Third District Court of Appeal

State of Florida

Opinion filed November 17, 2021.
Not final until disposition of timely filed motion for rehearing.

No. 3D21-0328
Lower Tribunal No. 19-15263

Carmen Medina,
Appellant,

vs.

Citizens Property Insurance Corporation,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Veronica Diaz, Judge.

Sol Gabrielle Velasquez, P.A., and Sol G. Velasquez; Ramhofer Garcia and Alejandro F. Garcia and Will B. Ramhofer, for appellant.

Methe & Rothell, P.A., and Kristi Bergemann Rothell (West Palm Beach), for appellee.

Before FERNANDEZ, C.J., and EMAS and BOKOR, JJ.

PER CURIAM.

Affirmed. See Jackson v. Household Fin. Corp. III, 298 So. 3d 531, 536 (Fla. 2020) (setting forth hearsay exception for business records and noting that a qualified witness is “anyone with personal knowledge of the organization’s regular business practices relating to creating and retaining the record(s) at issue,” stemming from that witness’s training or experience); United Auto. Ins. Co. v. Affiliated Healthcare Ctrs., Inc., 43 So. 3d 127, 130 (Fla. 3d DCA 2010) (“The records custodian or any person who has the requisite knowledge to testify as to how the record was made can lay the necessary foundation.”) (internal quotations and citations omitted); Umana v. Citizens Property Insurance Corp., 282 So. 3d 933, 935 (Fla. 3d DCA 2019) (finding no abuse of discretion in the trial court’s denial of a motion for rehearing based on new evidence, but noting that “a trial court also has broad discretion to grant a rehearing of a summary judgment when the party seeking rehearing submits matters that would have created an issue precluding summary judgment if they had been raised prior to the hearing on the motion”).