

Third District Court of Appeal

State of Florida, July Term, A.D. 2009

Opinion filed December 23, 2009.

Not final until disposition of timely filed motion for rehearing.

No. 3D09-901

Lower Tribunal No. 08-43658

Travelers Casualty and Surety Company of America, et al.,
Appellants,

vs.

Dynalectric Company,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, William Thomas, Judge.

May, Meacham & Davell, William C. Davell, and Christopher D. Barber, for appellants.

Moore & Lee, Stuart H. Sakwa, and Joshua M. Atlas; Sutherland Asbill & Brennan and Benjamin Sawyer, for appellee.

Leiby Stearns and Roberts and Robert S. Tanner, for Associated Builders and Contractors Florida East Coast Chapter, Inc., as amicus curiae.

Before GERSTEN, SHEPHERD, and LAGOA, JJ.

PER CURIAM.

Based on the first-to-perfect rule, see, e.g., Hollywood Lakes Country Club, Inc. v. Silver & Waldman, P.A., 737 So. 2d 1194 (Fla. 3d DCA 1999), this cause is reversed, and remanded with instructions that the cause be transferred to the Broward County Circuit Court.

Reversed and remanded with instructions.