

NOT FINAL UNTIL TIME EXPIRES
TO FILE REHEARING MOTION
AND, IF FILED, DISPOSED OF.

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
THIRD DISTRICT
JANUARY TERM, A.D. 2003

SAMARIA GIGGER, as personal **
representative of the Estate
of BERNIE R. GIGGER, for the **
use and benefit of his Estate
and Survivors, **

Appellants, **

vs. **

CASE NO. 3D01-3041

BERGMAN BROTHERS CONTRACTORS, **
INC., a Florida Corporation
and FLORIDA BLACKTOP, INC., a **
Florida Corporation, **

Appellee. **

LOWER
TRIBUNAL NO. 98-29057

Opinion filed April 30, 2003.

An appeal from the Circuit Court for Miami-Dade County, Amy
Steele Donner, Judge.

Jay M. Levy; Daniels, Kashtan, Downs & Oramas, P.A. and
Michael F. Kashtan, for appellant.

Thomas E. Tookey (Coral Springs); O'Connor, Chimpoulis,
Restani, Marrero & McAllister, P.A. and David R. Cassetty, for
appellees.

Before SCHWARTZ, C.J. and GODERICH and GREEN, JJ.

PER CURIAM.

Affirmed. See Slavin v. Kay, 108 So. 2d 462 (Fla. 1958).