

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. 2004

ROBERT E. BUCHMAN,
Appellant,

**
**

vs.

**

NANCY CANARD,
Appellee.

**
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CASE NO. 3D03-914
LOWER TRIBUNAL NO.00-19307

Opinion filed January 21, 2004.

An appeal from the Circuit Court for Miami-Dade County,
Jennifer D. Bailey, Judge.

Michael A. Nuzzo; David B. Pakula, for appellant.

Daniels, Kashtan, Downs & Robertson and Madelyn Simon Lozano,
for appellee.

Before SCHWARTZ, C.J., and COPE, and WELLS, JJ.

WELLS, Judge.

Robert E. Buchman appeals an order confirming and ratifying an
arbitration award, winding up his partnership with Nancy Canard
and distributing partnership assets. That order, among other
things, awarded damages to Canard in an amount equal to her
proportionate share of those partnership assets wrongfully

transferred by Buchman and also awarded prejudgment interest on that amount from the date of the wrongful transfer. On appellee Canard's concession that prejudgment interest should not have been awarded, that portion of the order under review is reversed. See Argonaut Ins. Co. v. May Plumbing Co., 474 So. 2d 212, 215 (Fla. 1985); Pharmacy Mgmt. Servs., Inc. v. Perschon, 622 So. 2d 75, 76 (Fla. 2nd DCA 1993). The balance of the order under review is affirmed.

Affirmed in part, reversed in part.