

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

TIMOTHY MCCULLOCH, individual-**
ly, and on behalf of all
others similarly situated, **

Appellants, **

vs. **

CASE NO. 3D03-1686

ACADEMIC MANAGEMENT SERVICES **
CORPORATION, f/k/a EDUCATIONAL
FINANCE GROUP, INC., a foreign**
corporation, PNC BANK, N.A., a
foreign corporation, BAC INC.,**
a Florida corporation, and
MARCUS KATZ, an individual, **

Appellees. **

LOWER
TRIBUNAL NO. 01-31090

Opinion filed February 25, 2004.

An Appeal from the Circuit Court for Miami-Dade County, Peter
R. Lopez, Judge.

Charles D. Franken (Plantation), for appellants.

Mayer Brown Rowe & Maw and Alan N. Salpeter and Mark D.
Brookstein (Chicago)and Aragon, Burlington, Weil, Schwiep, Kaplan
& Blonsky and Paul J. Schwiep, for Academic Management Corporation;
Ballard Spahr Andrews & Ingersoll and Darryl J. May (Philadelphia)
and Shutts & Bowen and Don A. Lynn for PNC Bank; Ford, Marrin,
Esposito, Wittmeyer & Gleser and John J. Wittmeyer, III and David
A. Beke (New York)and Gallwey, Gillman, Curtis, & Vento and Stephen
B. Gillman for Marcus A. Katz; and Greenberg Traurig and Elliott E.
Scherker, for BAC Inc., appellees.

Before FLETCHER, SHEVIN and RAMIREZ, JJ.

PER CURIAM.

Affirmed. See Doe v. America Online, Inc., 783 So. 2d 1010 (Fla. 2001); McCulloch v. PNC Bank Inc., 298 F.3d 1217 (11th Cir. 2002).