

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
THIRD DISTRICT
JULY TERM A.D., 2004

PIANETA MIAMI, INC.,

Appellant,

vs.

DAVID JAGOLINZER,

Appellee.

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** CASE NO. 3D03-2577
3D03-2576

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** LOWER
TRIBUNAL NO. 01-06043

**

Opinion filed November 3, 2004.

An Appeal from the Circuit Court for Miami-Dade County,
Ronald M. Friedman, Judge.

Broad and Cassel, and Franklin Zemel, and John Cooney (Ft.
Lauderdale), for appellant.

Ferraro & Associates, P.A. and LH Steven Savola, for
appellee.

Before GREEN, FLETCHER and WELLS, JJ.

PER CURIAM.

Finding genuine issues of material fact on all counts, we
reverse the final summary judgments and remand for further
proceedings.