

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

HAVIS FRANCOIS, as Personal **
Representative of the Estate of
JASMIN FRANCOIS, deceased, et **
al.,

Appellants,

vs.

HARTFORD FINANCIAL CORPORATION, a
Florida corporation, et al.,

Appellees.

** CASE NOS. 3D03-2984
3D03-1429
**
LOWER
** TRIBUNAL NO. 00-20393

Opinion filed September 22, 2004.

An Appeal from the Circuit Court for Miami-Dade County,
Michael A. Genden, Judge.

Balsamo Aviation & Trial Firm, P.A. (Ft. Lauderdale), and
Richard W. Balsamo; and Ferrell, Schultz, Carter & Fertel, P.A.,
and H. Eugene Lindsey, and Gregory C. Harrell, for appellants.

Anania, Bandklayder, Blackwell, Baumgarten, Torricella &
Stein, and Roberto A. Torricella, Jr.; Thornton, Davis & Fein,
P.A., and Kathleen M. O'Connor, and J. Thompson Thornton, for
appellees.

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

PER CURIAM.

We affirm the trial court's order granting the appellees' motion to dismiss based upon lack of subject matter jurisdiction. Our affirmance is based upon this Court accepting the appellees' statement in open court that they will not raise or assert a defense of statute of limitations in the event this case is filed in the nation of Dominica.

Affirmed.