

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

WASTE MANAGEMENT, INC.
OF FLORIDA,

**

Appellant,

**

**

vs.

CASE NO. 3D04-895

**

LOWELL S. DUNN, et al.,

LOWER

**

TRIBUNAL NO. 04-5006

Appellees.

**

Opinion filed June 2, 2004.

An Appeal from a non-final order from the Circuit Court for Dade County, Maxine Cohen Lando, Judge.

White & Case and Douglas M. Halsey and Evan M. Goldenberg and Christopher M. Klemawesch, for appellant.

Elder, Vaccarella, Lewis, Miles & Rembold and David Elder and Jordan M. Keusch, for appellees.

Before SCHWARTZ, C.J., and LEVY, J., and COBB, WARREN, Senior Judge.

PER CURIAM.

As the appellees concede, the order under review granting injunctive relief must be and is vacated because of the trial court's failure to conduct the required evidentiary hearing. See *Lopez v. Paredes*, 653 So. 2d 472 (Fla. 3d DCA 1995). The cause is remanded for further appropriate proceedings.