

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

RAUL BENITEZ, et al.,

Appellants,

vs.

BELL MICROPRODUCTS-FUTURE TECH,  
etc.,

Appellees.

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\*\* CASE NO. 3D04-989 and  
CONSOLIDATED CASE NO. 04-993

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\*\* LOWER  
TRIBUNAL NO. 03-25926

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Opinion filed September 1, 2004.

A non-final appeal from the Circuit Court for Miami-Dade  
County, Barbara S. Levenson, Judge.

Spencer & Klein, P.A., and Thomas R. Spencer; Nathaniel A.  
Klitsberg, for appellant.

Levey, Airan, Brownstein, Shevin, Friedman, Roen & Kelso,  
LLP, and John R. Kelso; Blaxberg Grayson Kukoff & Segal, P.A.,  
and Moises T. Grayson, for appellee.

Before GREEN, RAMIREZ and SHEPHERD, JJ.

PER CURIAM.

Pursuant to the Stipulation and Joint Motion filed in this  
case by Coldwell Banker Residential Real Estate, Inc. and Raul

Benitez and Virginia Benitez (collectively "Appellants") and Saddy Abaunza Delgado, P.A., Saddy Abaunza Delgado and Bell Microproducts-Future Tech, Inc. (collectively "Appellees"), the Order Granting Motion to Stay Pending Arbitration dated March 24, 2004, is hereby vacated, and this appeal is dismissed with each party to bear its own fees and costs related to the appeal.