

Florida Real Property and Business Litigation Report
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Williams v. M & R Construction Of North Florida, Inc., Case No. 1D19-4518 (Fla. 1st DCA 2020).

Only a “joint creditor” of a husband and wife can execute upon entities property, and “joint” under *Beal Bank, SSB v. Almand & Assocs.* 780 So. 2d 45, 53 (Fla. 2001), means a creditor who obtained a judgment against husband and wife jointly.

Sack v. WSW Rental Of Sarasota, LLC, Case No. 2D19-728 (Fla. 2d DCA 2020).

The measure of damages for harm to chattels is loss of use of the chattel together with "the difference between the value of the chattel before the harm and the value after the harm" or "the reasonable cost of repairs or restoration where feasible, with due allowance for any difference between the original value and the value after repairs."

Escadote I Corporation v. Ocean Three Condominium Association, Inc., Case No. 3D19-0500 (Fla. 3d DCA 2020).

Summary judgment for the Releasee below is proper as the following release is a general release of all claims and is not limited to pre-existing claims:

[Releasor releases Releasee] of and from any and all property damage claims, actions, causes of action, damages or demands, in whatever name or nature, in tort, in contract or by statute, in any manner arisen, arising, or growing out of any property damages, property expenses, or losses sought or claimed, of whatever name or nature, past, present, or future, which in any way arise out of or were the result of the property damage occurring at [the Unit] from inception until March 24, 2010. his release covers any and all property damage claims of the Releasing Party for any consequential damages and expenses which have arisen, arise, or which may hereafter arise out of the incidents or matters which were alleged in, or could have been alleged in CASE NO.: 06-10808 CA 04 . . . except that it does not release claims for future failures of the Ocean Three Condominium Association, Inc. to maintain the common elements.