

Florida Real Property and Business Litigation Report
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Manuel Farach

Gilligan, Gooding, Batsel & Anderson, P.A. v. Condor Aerial, LLC, Case No. 1D20-426 (Fla. 1st DCA 2021).

Seeking to further impeach a trial witness after an adverse ruling may not be the basis of a sanctions award under Florida Statute section 57.105.

Wilson v. Jacks, Case No. 1D20-461 (Fla. 1st DCA 2021).

A claim of vicarious negligence liability must be specifically pleaded in a complaint to be considered in avoiding a summary final judgment.

Taneja v. First Street and Fifth Avenue, LLC, Case No. 2D20-679 (Fla. 2d DCA 2021).

A deficiency arising out of a foreclosure judgment cannot be entered against a guarantor of the note and mortgage unless a claim under the guaranty was made in the pleadings.

Pash v. Mahogany Way Homeowners Association, Inc., Case No. 4D19-3367 (Fla. 4th DCA 2021).

A homeowners' association lien filed under Florida Statute section 720.3085 may be amended.

Aquarius Condominium Association, Inc. v. Goldberg, Case No. 4D19-3403 (Fla. 4th DCA 2021).

Failure to comply with the requirement for non-binding arbitration of those condominium disputes set forth in Florida Statute section 718.1255 does not deprive the trial court of jurisdiction but is a condition precedent to filing suit.

Reconco v. Integon National Insurance Company, Case No. 4D20-887 (Fla. 4th DCA 2021).

A homeowner who has insurance force-placed on her home is not a third-party beneficiary of the force-placed insurance policy.

Buechel v. Shim, Case No. 5D19-3716 (Fla. 5th DCA 2021).

A court proceeding under Florida Statute section 56.29 may compel a party over whom it has *in personam* jurisdiction to "act on property that is outside of the court's jurisdiction, provided that the court does not directly affect the title to the property while it remains in the foreign jurisdiction" and direct the party to return the property to the jurisdiction; conflict certified with *Sargeant v. Al-Saleh*, 137 So. 3d 432 (Fla. 4th DCA 2014) (a trial court is without authority to order a judgment debtor to act on out-of-state property).