

Florida Real Property and Business Litigation Report
Volume XV, Issue 29
July 16, 2022
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Huggins v. Lueder, Larkin & Hunter, LLC, Case Nos. 20-12957, 12959, 12961, 14320, 14318, & 14319 (11th Cir. 2022).

Rule 11 sanctions motions can be filed after final judgment.

In Re: Amendments To Florida Rules of Civil Procedure, Florida Rules of General Practice and Judicial Administration, Florida Rules of Criminal Procedure, Florida Probate Rules, Florida Rules of Traffic Court, Florida Small Claims Rules, and Florida Rules of Appellate Procedure, Case No. SC21-990 (Fla. 2022).

Florida Rules of Practice are amended to further permit the use of communications technology during court proceedings, include jury trials.

Fiberoptics Technology, Inc. v. Sunoptic Technologies, LLC, Case No. 1D21-3820 (Fla. 1st DCA 2022).

A trial court faced with an objection to production based on trade secret must conduct a hearing and issue findings whether the information requested includes trade secrets, and if so, whether the party seeking production can show a reasonable necessity for the information, and must determine what safeguards should be put in place to protect the information.

814 Property Holdings, LLC v. New Birth Baptist Church Cathedral of Faith International, Inc., Case No. 3D20-0233 (Fla. 3d DCA 2022).

The Third District *sua sponte* clarifies its prior opinion and holds that an option contract in a condominium declaration is a restraint on alienation and as such must be measured in terms of duration, type of alienation precluded, or the size of the class precluded from taking; an option contract which both a fixed price and an indefinite duration on the purchase option is unenforceable.

Karenza Apartments, LLP v. City of Miami, Case No. 3D21-384 (Fla. 3d DCA 2022).

The owner of an apartment building that rents its outside for the placement of advertising mural may have a claim under the Bert J. Harris Act.

Lawrence v. Marina Tower of Turnberry Isle Condominium Association, Inc., Case No. 3D21-1337 (Fla. 3d DCA 2022).

A purchaser at a foreclosure sale is a “quasi-party” entitled to participate in the proceedings and to be awarded Florida Statute section 57.105 sanctions.

The Avel Law Firm, PLLC v Sechrist, Case No. 3D21-1985 (Fla. 3d DCA 2022).

An order denying a motion to quash impleader of a third party under Florida Statute section 56.29 is a non-final order that is appealable as a non-final appeal under Florida Rule of Appellate Procedure 9.130(a)(3)(C)(i), but is not reviewable under Florida Rule of Civil Procedure 1.540.

Citizens For Responsible Development, Inc. v. The City of Dania Beach, Case No. 4D21-1306 (Fla. 4th DCA 2022).

An objection to the process used to approve a development order (not just zoning approvals) is subject to the requirement of demonstrating special damages under *Renard v. Dade County*, 261 So. 2d 832 (Fla. 1972) (objecting party must show that it was damaged differently than other citizens).

Southam v. Red Wing Shoe Company, Inc., Case No. 4D21-3338 (Fla. 4th DCA 2022).

A claimant under Fair and Accurate Credit Transactions Act must comply with the requirements of *Transunion LLC v. Ramirez*, 141 S. Ct. 2190, 2200 (2021), and demonstrate “economic” or “distinct or palpable” injury.