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CLERK, SUPREME COURT

Chief Deputy Clerk

IN THE SUPREME COURT OF FLORIDA

CASE NO.: 83-1356

AETNA INSURANCE COMPANY,

Petitioner,

v.

JAMES NORMAN and NATALIE NORMAN, his wife,

Respondents.

RESPONDENTS' BRIEF ON JURISDICTION

On Petition for Review of the Decision of The Third District Court of Appeal of Florida Case No.: 83-1356, Rendered February 7, 1984

JAY DERMER LAW OFFICES and JAY DERMER Attorneys for Respondents 420 Lincoln Road Suite 327 Miami Beach, Florida 33139 Tel: (305) 531-6626

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RESPONDENTS' POSITION ON JURISDICTION

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Respondent herein has reviewed Petitioner's Brief on Jurisdiction and has reviewed the decisions of other District Courts in the State of Florida, including the following: <u>Risk Management Services, Inc. v. McCraney</u>, 420 So 2d 374 (Fla. 1st DCA 1982), <u>Risk Management Services, Inc. v. Scott</u>, 414 So 2d 220 (Fla. 1st DCA 1982), <u>American States Insurance</u> <u>Company v. Johnson</u>, 426 So. 2d 1222 (Fla. 4th DCA 1983), <u>Maryland Casualty Insurance Company v. Reeves</u>, 418 So 2d 1257 (Fla. 4th DCA 1982). Respondent agrees with the position of the Petitioners that the decision of the Third District Court of Appeals herein, in fact, conflicts with the other jurisdictions cited by the Petitioner.

CONCLUSION

The Respondent agrees that there is conflict between the Third District Court of Appeals and other District Court of Appeals in Florida concerning the issues raised in this appeal.

Respectfully submitted,

JAY DERMER LAW OFFICES Attorneys for Respondent 420 Lincoln Road, Suite 327 Miami Beach, Florida 33139 Tel: (305) 531-6626

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed this $\underline{l}/$ day of April, 1984 to: Richard B. Wingate, Jr., Esq., Underwood, Gillis, Karcher & Valle, P.A., 150 S.E. 2nd Avenue, Suite 1405, Miami, Florida 33130.

By:_____ DERMER ermen - er