

Supreme Court of Florida

No. 81,115

INTERNATIONAL INSURANCE COMPANY,
Petitioner,

ORIGINAL

vs.

METROPOLITAN PROPERTY AND LIABILITY
INSURANCE COMPANY, etc., Respondent.

[June 23, 1994]

OVERTON, J.

We have for review International Insurance Co. v. Metropolitan Property and Liability Insurance Co., 609 So. 2d 772 (Fla. 3d DCA 1992), based on certified conflict with Bolin v. Massachusetts Bay Insurance Co., 518 So. 2d 393 (Fla. 2d DCA 1987). We have jurisdiction pursuant to article V, section 3(b)(4), Florida Constitution. The district court in the instant case affirmed the decision of the trial court and cited Nationwide Mutual Fire Insurance Co. v. Phillips, 609 So. 2d 1385 (Fla. 5th DCA 1992), in support of its decision. We quashed

Phillips on the authority of World Wide Underwriters Insurance Co. v. Welker, 19 Fla. L. Weekly S153 (Fla. March 31, 1994). See Nationwide Mutual Fire Ins. Co. v. Phillips, 19 Fla. L. Weekly S157 (Fla. March 31, 1994). We likewise quash the decision in the instant case and remand for further consideration in light of our decision in World Wide.

It is so ordered.

GRIMES, C.J., SHAW, KOGAN and HARDING, JJ., and McDONALD, Senior Justice, concur.

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND, IF FILED, DETERMINED.

Application for Review of the Decision of the District Court of
Appeal - Certified Direct Conflict of Decisions
Third District - Case No. 91-1240

(Dade County)

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