

Supreme Court of Florida

No. 82,832

NATIONWIDE MUTUAL FIRE
INSURANCE COMPANY,

Petitioner,

vs.

RICHARD D. POUNDERS, etc.,
et al.,

Respondents.

ORIGINAL

[June 23, 1994]

MCDONALD, Senior Justice.

We review Nationwide Mutual Fire Insurance Co. v. Pounders, 630 So. 2d 1134 (Fla. 2d DCA 1993), which conflicts with Nationwide Mutual Insurance Co. v. Phillips, 19 Fla. L. Weekly S157 (Fla. March 31, 1994). We have jurisdiction pursuant to article V, section 3(b)(3) of the Florida Constitution. Given our decision in Phillips, we quash the district court's decision in Pounders.

It is so ordered.

GRIMES, C.J., OVERTON, SHAW, KOGAN and HARDING, JJ., 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 - Direct Conflict of Decisions
Second District - Case No. 93-01695

(Polk County)

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