

# Supreme Court of Florida

**LINN-WELL DEVELOPMENT  
CORPORATION, et al.,**

Petitioners,

vs.

**PRESTON & FARLEY, INC., et al.,**

Respondents.

No. **87,385**

[April 17, 1997]

REVISED

**SHAW, J.**

We have for review a decision ruling on the following question certified to be of great public importance:

IS A **BUYER** OF COMMERCIAL PROPERTY PREVENTED **BY** THE "ECONOMICLOSS RULE" FROM RECOVERING **DAMAGES** FOR FRAUD IN THE INDUCEMENT AGAINST THE **REAL** ESTATE AGENT AND ITS INDIVIDUAL AGENT REPRESENTING THE **SELLERS**?

Linn-Well Dev. Corp. v. Preston & Farley, Inc., 666 So.2d **558** (Fla. 2d DCA 1995). We have jurisdiction. *Art. V, § 3(b)(4)*, Fla. Const. This question is controlled by PK Ventures, Inc. v. Raymond James &

Associates, No. 87,404 (Fla. Apr. 3, 1997). We quash Linn-Well and remand for proceedings consistent with PK Ventures, and for consideration of Preston & Farley's alternative arguments for affirmance of the trial court's final summary judgment.

It is so ordered.

KOGAN, C.J., and OVERTON, GRIMES, **HARDING**, WELLS and ANSTEAD, 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 - Certified Great Public Importance

Second District - Case Nos. 94-03170 &  
**94-03168**

(Hillsborough County)

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