

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

FIRST AMERICAN TITLE
INSURANCE COMPANY,

Petitioner,

v.

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED.

CASE NO. 1D07-0955

JAMES V. RAFFONE, on behalf of
himself and all others similarly
situated,

Respondent.

Opinion filed March 6, 2008.

Petition for Writ of Certiorari - Original Jurisdiction.

Charles A. Newman, admitted pro hac vice, Douglas W. King, admitted pro hac vice, of Bryan Cave, LLP, St. Louis, Missouri; Thomas R. Tatum, Harris K. Solomon of Brinkley, McNerney, Morgan, Solomon & Tatum, LLP, Ft. Lauderdale; and Reed W. Grimm of Taylor, Day, Currie, Boyd & Johnson, Jacksonville, for Petitioner.

P. Scott Russell IV, of P. Scott Russell, P.A., Jacksonville; Stanley M. Grossman, D. Brian Hufford, and Robert J. Axelrod of Pomerantz, Haudek, Block, Grossman & Gross, LLP, New York; and Jeffrey M. Liggio of Liggio, Benrubi & Williams, P.A., West Palm Beach, for Respondent.

PER CURIAM.

GRANTED. See Commonwealth Land Title Ins. Co. v. Higgins, No. 1D07-0946 (Fla. 1st DCA, February __, 2008).

BENTON, AND VAN NORTWICK, JJ., CONCUR; KAHN, J., DISSENTS.