

HEALTH DIAGNOSTICS OF FT.
LAUDERDALE, d/b/a STAND UP MRI OF FT.
LAUDERDALE, a/a/o Martha J. Anderson,

IN THE COUNTY COURT IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

Plaintiff,

CASE NO: 14-5989 SP 25

v.

USAA CASUALTY INSURANCE
COMPANY,

Defendant.

_____/

**ORDER GRANTING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT
REGARDING EMERGENCY MEDICAL CONDITION, FAILURE TO RESPOND TO
REQUEST FOR INFORMATION, AND PREMATURE DEMAND LETTER; DENYING
PLAINTIFF'S MOTION FOR ATTORNEY'S FEES AND COSTS; AND FINAL
JUDGMENT**

This matter came before the Court for hearing on March 11, 2015 on Defendant's Motion for Summary Judgment Regarding Emergency Medical Condition, Failure to Respond to Request for Information, and Premature Demand Letter, and Plaintiff's Motion for Attorney's Fees and Costs, and the Court, having heard argument of counsel, having reviewed the record, and being otherwise duly advised in the premises, ORDERS AND ADJUDGES as follows:

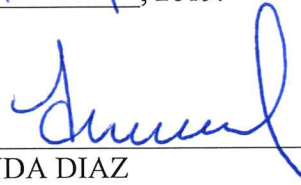
In accordance with the Mandate and Opinion issued by the Appellate Division of the Eleventh Judicial Circuit attached as Exhibit A to this Order, this court vacates its Order Granting Plaintiff's Motion for Attorney's Fees and Costs and Denying Defendant's Motion for Summary Judgment that was entered on April 13, 2015, enters summary judgment in favor of Defendant, and denies Plaintiff's Motion for Attorney's Fees.

Accordingly, it is ORDERED AND ADJUDGED that the Motion for Summary Judgment Regarding Emergency Medical Condition, Failure to Respond to Request for Information, and

Premature Demand Letter filed by the Defendant, USAA CASUALTY INSURANCE COMPANY, against the Plaintiff, Health Diagnostics of Ft. Lauderdale d/b/a Stand Up MRI of Ft. Lauderdale, a/a/o Martha J. Anderson, is GRANTED, and Plaintiff's Motion for Attorney's Fees and Costs is DENIED.

It is further ORDERED AND ADJUDGED that the Plaintiff, Health Diagnostics of Ft. Lauderdale d/b/a Stand Up MRI of Ft. Lauderdale, a/a/o Martha J. Anderson, shall take nothing, above the \$842.43 received in the lawsuit, in this action and that Defendant, USAA Casualty Insurance Company, shall go hence without day. The Court reserves jurisdiction to determine the entitlement to and the amount of attorney's fees and costs to Defendant.

DONE AND ORDERED this 9 day of January, 2019.



LINDA DIAZ
COUNTY COURT JUDGE

Copies to Counsel of Record:

Scott W. Dutton, Esq.
Zachary A. Hicks, Esq.