

IN THE COUNTY COURT OF THE ELEVENTH JUDICIAL CIRCUIT,
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

CASE NO. 2023-019576-SP-26

WINDSOR IMAGING,

Plaintiff/Appellant,

vs.

TRAVELERS CASUALTY INSURANCE
COMPANY OF AMERICA,

Defendant/Appellee.

_____/

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that Plaintiff/Appellant, WINDSOR IMAGING, pursuant to Florida Rule of Appellate Procedure 9.110, hereby appeals the FINAL ORDER of this Court entered on August 10, 2023. See Exhibit "A." This notice of appeal is hereby timely filed.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of this document was filed with the clerk of court and furnished via electronic mail to Kevin M. Puntney, Esquire, Travelers Legal Department, 1 N Dale Mabry Hwy Ste 1300, Tampa, FL 33609-2776, kpuntney@travelers.com, Tameka C. Franco, Esquire, Travelers Legal Department, 1 N Dale Mabry Hwy Ste 1300, Tampa, FL 33609-2776, tfranco@travelers.com, Thomas Wenzel, Esquire, Steinger,

Greene & Feiner, 133 NW 100th Ave, Plantation, FL 33324-7034, pleadings@injurylawyers.com, and Stephanie Vera, Esquire, Steinger, Greene & Feiner, 133 NW 100th Ave, Plantation, FL 33324-7034, pipsvc5@injurylawyers.com, on this 7th day of September 2023.

/s/ Chad A. Barr

CHAD A. BARR, ESQ.

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Counsel for Plaintiffs/Appellants

STATE OF FLORIDA, COUNTY OF MIAMI-DADE

I HEREBY CERTIFY that the foregoing is a true and correct copy of the
Original on file in this office

9-8 AD 20 23

Deputy Clerk Ad Interim of Circuit and County Courts

Deputy Clerk



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EXHIBIT "A"

**IN THE COUNTY COURT OF THE ELEVENTH JUDICIAL
CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

CASE NO: 2023-019576-SP-26

SECTION: SD05

JUDGE: Michaëlle Gonzalez-Paulson

WINDSOR IMAGING

Plaintiff(s) / Petitioner(s)

vs.

TRAVELERS CASUALTY INSURANCE COMPANY OF AMERICA

Defendant(s) / Respondent(s)

_____ /

ORDER ON DEFENDANT'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT

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THIS CAUSE having come before the Court at 3 p.m. on August 7, 2023 regarding Defendant's Motion to Dismiss, and otherwise fully advised in the premises and the law, it is ORDERED and ADJUDGED as follows:

1. This Court finds that this PIP case involves the same accident date of March 11, 2019 as the Broward PIP case COCE21025300 filed on May 7, 2021, which was dismissed with prejudice pursuant to settlement on September 9, 2021.
2. This Court holds that this case is barred by res judicata and Florida's No-Fault Law, which requires all claims to be brought in one action. Fla. Stat. 627.736(15). Defendant's Motion to Dismiss is hereby granted.

DONE and ORDERED in Chambers at Miami-Dade County, Florida on this 10th day of August, 2023.



2023-019576-SP-26 08-10

2023-019576-SP-26 08-10-2023 11:49 AM

Hon. Michaelle Gonzalez-Paulson

COUNTY COURT JUDGE

Electronically Signed

Final Order as to All Parties SRS #: 12 (Other)

THE COURT DISMISSES THIS CASE AGAINST ANY PARTY NOT LISTED IN THIS FINAL ORDER OR PREVIOUS ORDER(S). THIS CASE IS CLOSED AS TO ALL PARTIES.

Electronically Served:

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