

IN THE COUNTY COURT OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR POLK COUNTY, FLORIDA

RESTORE RABBIT, LLC
through assignment from
AMBER FLANDERS,

Case No.: 2019 CC-003812

Plaintiff,

v.

FAMILY SECURITY INSURANCE
COMPANY,

Defendant.

**ORDER GRANTING DEFENDANT'S MOTION TO STRIKE AMENDED COMPLAINT
AS TO CLAIMS FOR ATTORNEYS FEES PURSUANT TO F.S. 627.428**

This matter came to be heard before the Court upon Defendant's Motions to Strike on October 24, 2018. The court having reviewed the Motions, heard argument of counsel, reviewed the file, and otherwise being fully advised in the premises, it is hereby **ORDERED AND ADJUDGED as follows:**

Defendant's Motion is **GRANTED**. This action was filed on July 10, 2019, after both HB 7065 and HB 337 became law. Accordingly, F.S. §627.7152 controls claims for attorney fees by Plaintiff in this action and Plaintiff's claims for attorney's fees in this action pursuant to F.S. §627.428 are stricken from the Amended Complaint. The Plaintiff shall have 20 days from the date of this order in which they may file an Amended Complaint to allege any claims for attorney's fees pursuant to F.S. §627.7152.

Defendant's Motion to Strike Plaintiff's Reply to Affirmative Defenses and Motion to Strike Plaintiff's Notice for Trial are **DENIED AS MOOT**.

OCT 28 2019

DONE and ORDERED in Chambers, at Polk County, Florida, this ____ day of _____, 2019.

/s/ Bob Grode

Bob Grode, Circuit Judge

Copies to:

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