

# Third District Court of Appeal

State of Florida, January Term, A.D. 2008

Opinion filed June 11, 2008.

Not final until disposition of timely filed motion for rehearing.

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No. 3D06-2673

Lower Tribunal No. 99-12807

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**Krishan Rana and Joseph Cataldo, as assignee of the interest of  
Frank J. Cavallaro,**  
Appellants,

vs.

**Lola Bohn Thomas, Donna Krich, Robert Krich and Michael  
Thomas,**  
Appellees.

An Appeal from the Circuit Court for Miami-Dade County, Victoria S. Sigler, Judge.

David M. Goldstein and Ergio I. Fernandez, for appellants.

Hinshaw & Culbertson and James H. Wyman (Ft. Lauderdale); Morgan, Olsen & Olsen and Brian D. Gottlieb, (Ft. Lauderdale), for appellees.

Before COPE, WELLS and LAGOA, JJ.

WELLS, Judge.

Affirmed. See Fla. R. Civ. P. 1.150 (providing that the trial court may strike sham pleadings); Cromer v. Mullally, 861 So. 2d 523, 525 (Fla. 3d DCA 2003)

(stating that a pleading is considered a sham “when it is inherently false and clearly known to be false at the time the pleading was made”); Ader v. Temple Ner Tamid, 339 So. 2d 268, 270 (Fla. 3d DCA 1976) (stating that to be stricken as a sham under Rule 1.150, a pleading must appear “clearly false, as a mere pretense, set up in bad faith, and without color of fact”).