

# Third District Court of Appeal

State of Florida, July Term, A.D. 2009

Opinion filed November 18, 2009.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D08-2331  
Lower Tribunal No. 98-18221

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**Shafter G. Wyatt, III, as Personal Representative of the Estate of  
Janet L. Wyatt, deceased,**  
Appellant,

vs.

**Marilyn L. Marcus, D.O., and Marilyn L. Marcus, D.O., P.A.,**  
Appellees.

An Appeal from the Circuit Court for Miami-Dade County, Michael A. Genden, Judge.

Richard C. Klugh; Dickman, Epelbaum & Dickman, and Robert J. Dickman, Jr., for appellant.

Stephens, Lynn, Klein, Cava, Hoffman & Puya, and Robert J. Cousins (Fort Lauderdale); Hicks, Porter, Ebenfeld & Stein, and Irene Porter, for appellees.

Before SUAREZ and SALTER, JJ., and SCHWARTZ, Senior Judge.

PER CURIAM.

Affirmed.